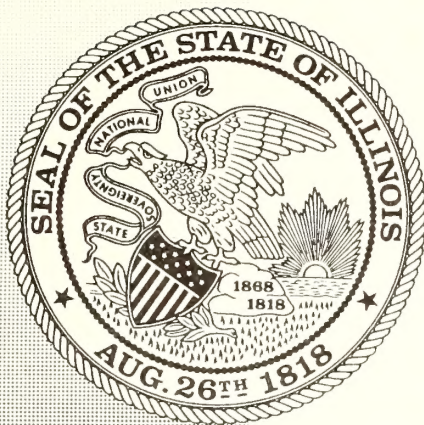


Scott Livingston



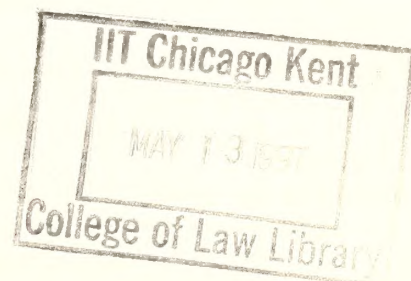
1997

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Rules of Governmental Agencies

Volume 21, Issue 19 — May 09, 1997

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Index Department
Administrative Code Div.
111 East Monroe Street
Springfield, IL 62756
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George H. Ryan
Secretary of State

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INTRODUCTION

The *Illinois Register* is the official state document for publishing public notice of rulemaking activity initiated by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. The Register also contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current Register volume year and a Sections Affected Index listing by Title each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume year. Both indices are action coded and are designed to aid the public in monitoring rules.

Rulemaking activity consists of proposed or adopted new rules; amendments to or repealers of existing rules; and rules promulgated by emergency or peremptory action. Executive Orders and Proclamations issued by the Governor; notices of public information required by State statute; and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies; is also published in the Register.

The Register is a weekly update to the *Illinois Administrative Code* (a compilation of the rules adopted by State agencies). The most recent edition of the Code along with the Register comprise the most current accounting of State agencies' rules.

The Illinois Register is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act [5 ILCS 100/1-1 et seq.].

REGISTER PUBLICATION SCHEDULE 1997

Material Rec'd after Noon on:	And before Noon on:	Will be in Issue #:	Published on:	Material Rec'd after Noon on:	And before Noon on:	Will be in Issue #:	Published on:
Dec. 24, 1996	Dec. 31, 1996	1	Jan. 3, 1997	July 1, 1997	July 8, 1997	28	July 11, 1997
Dec. 31, 1996	Jan. 7, 1997	2	Jan. 10, 1997	July 8, 1997	July 15, 1997	29	July 18, 1997
Jan. 7, 1997	Jan. 14, 1997	3	Jan. 17, 1997	July 15, 1997	July 22, 1997	30	July 25, 1997
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Jan. 28, 1997	Feb. 4, 1997	6	Feb. 7, 1997	Aug. 5, 1997	Aug. 12, 1997	33	Aug. 15, 1997
Feb. 4, 1997	Feb. 11, 1997	7	Feb. 14, 1997	Aug. 12, 1997	Aug. 19, 1997	34	Aug. 22, 1997
Feb. 11, 1997	Feb. 18, 1997	8	Feb. 21, 1997	Aug. 19, 1997	Aug. 26, 1997	35	Aug. 29, 1997
Feb. 18, 1997	Feb. 25, 1997	9	Feb. 28, 1997	Aug. 26, 1997	Sept. 2, 1997	36	Sept. 5, 1997
Feb. 25, 1997	Mar. 4, 1997	10	Mar. 7, 1997	Sept. 2, 1997	Sept. 9, 1997	37	Sept. 12, 1997
Mar. 4, 1997	Mar. 11, 1997	11	Mar. 14, 1997	Sept. 9, 1997	Sept. 16, 1997	38	Sept. 19, 1997
Mar. 11, 1997	Mar. 18, 1997	12	Mar. 21, 1997	Sept. 16, 1997	Sept. 23, 1997	39	Sept. 26, 1997
Mar. 18, 1997	Mar. 25, 1997	13	Mar. 28, 1997	Sept. 23, 1997	Sept. 30, 1997	40	Oct. 3, 1997
Mar. 25, 1997	Apr. 1, 1997	14	Apr. 4, 1997	Sept. 30, 1997	Oct. 7, 1997	41	Oct. 10, 1997
Apr. 1, 1997	Apr. 8, 1997	15	Apr. 11, 1997	Oct. 7, 1997	Oct. 14, 1997	42	Oct. 17, 1997
Apr. 8, 1997	Apr. 15, 1997	16	Apr. 18, 1997	Oct. 14, 1997	Oct. 21, 1997	43	Oct. 24, 1997
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Apr. 22, 1997	Apr. 29, 1997	18	May 2, 1997	Oct. 28, 1997	Nov. 4, 1997	45	Nov. 7, 1995
Apr. 29, 1997	May 6, 1997	19	May 9, 1997	Nov. 4, 1997	Nov. 10, 1997*	46	Nov. 14, 1997
May 6, 1997	May 13, 1997	20	May 16, 1997	Nov. 10, 1997*	Nov. 18, 1997	47	Nov. 21, 1997
May 13, 1997	May 20, 1997	21	May 23, 1997	Nov. 18, 1997	Nov. 25, 1997	48	Dec. 1, 1997*
May 20, 1997	May 27, 1997	22	May 30, 1997	Nov. 25, 1997	Dec. 2, 1997	49	Dec. 5, 1997
May 27, 1997	June 3, 1997	23	June 6, 1997	Dec. 2, 1997	Dec. 9, 1997	50	Dec. 12, 1997
June 3, 1997	June 10, 1997	24	June 13, 1997	Dec. 9, 1997	Dec. 16, 1997	51	Dec. 19, 1997
June 10, 1997	June 17, 1997	25	June 20, 1997	Dec. 16, 1997	Dec. 23, 1997	52	Dec. 26, 1997
June 17, 1997	June 24, 1997	26	June 27, 1997	Dec. 23, 1997	Dec. 30, 1997	1	Jan. 2, 1998
June 24, 1997	July 01, 1997	27	July 7, 1997*	Dec. 30, 1997	Jan. 6, 1998	2	Jan. 9, 1998

Please note: When the Register deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).

* Monday

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED RULES

1) Heading of the Part: Internal Service Funds

2) Code Citation: 74 Ill. Adm. Code 1000

3) Section Numbers: Proposed Action:

1000.10 New

1000.20 New

1000.30 New

1000.40 New

1000.50 New

4) Statutory Authority: Implementing and authorized by Section 25 of the State Finance Act [30 ILCS 105/25]

5) A Complete Description of the Subjects and Issues Involved: Provides a procedure allowing agencies to make advance payments to CMS revolving funds and also allows CMS to give agencies credits in the revolving funds. Provides for billing, payment and credits in certain instances after the end of the fiscal year and end of fiscal year lapse period.

6) Will this rulemaking replace any emergency rulemaking currently in effect?
No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this rulemaking contain incorporations by reference? No

9) Are there any other proposed rulemakings pending on this part? No

10) Statement of Statewide Policy Objectives: Rulemaking does not affect units of local government.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments within 45 days after the date of publication to:

Stephen W. Seiple
720 Stratton Office Building
Springfield, IL 62706
217/782-9669

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: None

B) Reporting, bookkeeping or other procedures required for compliance:
Non

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED RULES

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: This rule was not included on either of the 2 most recent agendas because: Decision to draft rules was not made in time to meet last agenda deadline.

The full text of the Proposed Rule begins on the next page.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED RULES

TITLE 74: PUBLIC FINANCE

CHAPTER IX: CENTRAL MANAGEMENT SERVICES

PART 1000

INTERNAL SERVICE FUNDS

Section	Scope
1000.10	Advance Billings Based Upon Estimated Charges
1000.20	Credits Issued For Prior Fiscal Year Overpayments
1000.30	Catch-Up Billings For Prior Fiscal Year Amounts Due
1000.40	User Agency Payments
1000.50	

AUTHORITY: Implementing and authorized by Section 25 of the State Finance Act [30 ILCS 105/25].

SOURCE: Adopted at 21 Ill. Reg. _____, effective _____.

Section 1000.10 Scope

- a) This Part applies to each of the Internal Service Funds administered by the Department of Central Management Services, herein referred to as the Department.
- b) The following is a non-exclusive listing of those funds:
- 1) State Garage Revolving Fund
 - 2) Statistical Services Revolving Fund
 - 3) Office Supplies Revolving Fund
 - 4) Paper and Printing Revolving Fund
 - 5) Communications Revolving Fund
 - 6) State Surplus Property Revolving Fund
 - 7) Health Insurance Reserve Fund

Section 1000.20 Advance Billings Based Upon Estimated Charges

- a) The Department shall make reasonable efforts to bill and collect Internal Service Fund receivables in the fiscal year in which the user agency's account liability was incurred.
- b) During the lapse period, the Department may bill user agencies based on estimated charges for goods and services received by user agencies when unbilled fiscal year receivables have been identified and it is unlikely that sufficient documentation will be received by the Department in time to allow both the Department billing process and user agency payment process to be completed during the lapse period. Computation of advance billing amounts will be based upon remaining unprocessed open work orders, authorizations without vendor invoices, and/or other similar sources. Advance billing amounts shall be based upon the best information available to the Department at the time the

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED RULES

- advance billing is prepared.
- c) The Department may enter into agreements with user agencies for advance billings at other times during the fiscal year based on estimated charges for goods and services to be received by the user agency during the fiscal year.
- d) The Department shall not issue undocumented advance billings for the purpose of intentionally expending a user agency's remaining appropriation balances.
- e) The Department shall not issue advance billings for the purpose of creating undocumented credit balances which intentionally transfer a user agency's unexpended appropriation balances to the following fiscal year through the credit process described in Section 1000.40.

Section 1000.30 Credits Issued For Prior Fiscal Year Overpayments

- a) The Department shall issue credits for application in the subsequent fiscal year for those user agency accounts which show an accounts receivable credit balance for the prior fiscal year. Credits for prior fiscal year accounts receivable credit balances will be issued when the Internal Service Fund is reasonably certain that:
- 1) All prior fiscal year billing activity has been posted;
 - 2) All agency payments related to prior year billing activity have been posted; and
 - 3) No activity remains in process related to prior fiscal year accounts receivable.
- b) Credits for accounts receivable credit balances for prior fiscal year overpayments will be issued to user agencies after November 1st in the subsequent fiscal year.
- c) The Department shall not use the advance billing process in Section 1000.20 with this credit process to intentionally circumvent fiscal year budgetary controls.

Section 1000.40 Catch-Up Billings For Prior Fiscal Year Amounts Due

- a) The Department shall issue catch-up billings in the subsequent fiscal year for those user agency accounts which show an accounts receivable debit balance for the prior fiscal year. Catch-up billings for prior fiscal year account balances due will be issued when the Internal Service Fund is reasonably certain that:
- 1) All prior fiscal year billing activity has been posted;
 - 2) All agency payments related to prior year billing activity have been posted; and
 - 3) No activity remains in process related to prior fiscal year accounts receivable.
- b) When the Department did not have adequate information to bill a user agency for goods and services received during the prior fiscal year, the Department shall issue catch-up billings in the subsequent fiscal year once adequate documentation is received.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED RULES

- c) The Department shall clearly identify catch-up billings in order to avoid confusion with regular billings.
- d) The Department shall make reasonable efforts to issue catch-up billings to user agencies as soon as billing information is known. Catch-up billings will be sent to agencies on a monthly basis beginning in November of the subsequent fiscal year.
- e) User agencies shall reimburse the Department for catch-up billings by vouchers drawn against their appropriations for the fiscal year in which the catch-up billing is issued by the Department.
- f) The Department shall not use catch-up billings as a substitute for the lapse period billing process.

Section 1000.50 User Agency Payments

- a) User agencies shall review each Internal Service Fund bill and shall either deny the bill in whole or in part, ask for more information necessary to review the bill, or approve the bill in whole or in part within 30 days after physical receipt of the bill. User agencies shall immediately notify the Department of any Internal Service Fund bill that has been denied in whole or in part and of any additional information that is necessary to review the bill.
- b) User agencies shall make reasonable efforts to review, approve, and pay all Internal Service Fund bills in the fiscal year in which the liability was incurred or within the fiscal year that the Department issues a catch-up billing. User agencies shall not leave Internal Service Fund bills unpaid in order to circumvent fiscal year budgetary controls.

PROPERTY TAX APPEAL BOARD

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Procedures
- 2) Code Citation: 86 Ill. Adm. Code 1910
- 3) Section Numbers: 1910.50
Amended
1910.75
Amended
- 4) Statutory Authority: 35 ILCS 200/Art. 7 and 16-180 through 16-195.
- 5) A Complete Description of the Subjects and Issues Involved: Section 1910.50, Determination of Appealed Assessment: This Section is amended to provide for the use of the Cook County three year median level of assessments, by class, as determined and certified by the Illinois Department of Revenue's yearly assessment/sales ratio studies where sufficient probative evidence is presented indicating the estimate of full market value of the subject property on the relevant real property assessment date of January 1.
Section 1910.75, Access to Board Records: This Section is amended to provide the correct citation to the Freedom of Information Act.
- 6) Will this rulemaking replace any emergency rulemaking currently in effect?
No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this rulemaking contain incorporations by reference? No
- 9) Are there any other proposed rulemakings pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This rulemaking will determine the manner of establishing the assessed value of real property within Cook County in those appeals where the Property Tax Appeal Board makes a market value finding.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may comment on this proposed rulemaking by filing such comments in writing during the first notice period with the Property Tax Appeal Board at its offices in Springfield:

James W. Chipman, Executive Director
Property Tax Appeal Board
Rm. 402, Stratton Office Building
401 S. Spring St.
Springfield, Illinois 62706
(217)782-6076

PROPERTY TAX APPEAL BOARD

NOTICE OF PROPOSED AMENDMENT

12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not for profit corporations affected: All small businesses owning taxable real property in Cook County.
- B) Reporting, bookkeeping or other procedures required for compliance: None.
- C) Types of professional skills necessary for compliance: None.

13) Regulatory Agenda on which this rulemaking was summarized: This rule was not included on either of the 2 most recent agendas because: The Property Tax Appeal Board did not anticipate amending these rules to Part 1910 until late 1996.

The full text of the Proposed Amendment begins on the next page:

PROPERTY TAX APPEAL BOARD

NOTICE OF PROPOSED AMENDMENT

TITLE 86: REVENUE

CHAPTER II: PROPERTY TAX APPEAL BOARD

PART 1910

PRACTICE AND PROCEDURE FOR HEARINGS

BEFORE THE PROPERTY TAX APPEAL BOARD PROCEEDINGS

Section	
1910.5	Construction and Definitions
1910.10	Statement of Policy
1910.20	Correspondence
1910.25	Computing Time Limits
1910.30	Petitions - Application
1910.40	Board of Review Response to Petition Application
1910.50	Determination of Appealed Assessment
1910.60	Interested Parties - Intervention
1910.63	Burdens of Proof
1910.65	Documentary Evidence
1910.66	Rebuttal Evidence
1910.67	Hearings
1910.68	Subpoenas
1910.69	Sanctions
1910.70	Representation at Hearings
1910.75	Access to Board Records
1910.80	Forms
1910.90	Practice Rules
1910.95	Separability

AUTHORITY: Implementing and authorized by the Property Tax Code [35 ILCS 200/Art. 7 and 16-180 through 16-195].

SOURCE: Adopted at 4 Ill. Reg. 23, p. 106, effective May 27, 1980; codified at 8 Ill. Reg. 19475; amended at 13 Ill. Reg. 16454, effective January 1, 1990; amended at 21 Ill. Reg. 3706, effective March 6, 1997; amended at 21 Ill. Reg. _____, effective _____.

Section 1910.50 Determination of Appealed Assessment

- a) All proceedings before the Property Tax Appeal Board shall be considered de novo which shall mean that the Property Tax Appeal Board will consider only the evidence, exhibits and briefs submitted to it, and will not give any weight or consideration to any prior actions by a local board of review or any submissions not timely filed or not specifically made a part of the record. (Section 16-180 of the Code)
- b) By statute, the Property Tax Appeal Board may accept into the record all evidence, exhibits and briefs submitted by all interested parties and render a decision without holding a hearing. On its own motion, the Board may order a hearing to be held at a time and place

PROPERTY TAX APPEAL BOARD

NOTICE OF PROPOSED AMENDMENT

designated by the Board. A hearing shall be granted if any party to the appeal submits a request in writing. (Section 16-170 of the Code) The decisions of the Property Tax Appeal Board will be based on equity and the weight of the evidence.

1) In all counties other than Cook, a three-year county wide assessment level to be based on relevant sales during the previous three years as certified by the Department of Revenue will be considered where sufficient probative evidence is presented indicating the estimate of full market value of the subject property on the relevant real property assessment date of January 1.

2) In Cook County, a three-year county wide assessment level, by class, according to the Cook County Real Estate Classification Ordinance, as amended, and enacted by the Cook County Board of Commissioners, to be based on relevant sales during the previous three years as certified by the Department of Revenue will be considered where sufficient probative evidence is presented indicating the estimate of full market value of the subject property on the relevant real property assessment date of January 1.

d) Whether a hearing is held in the appeal proceeding, the proceeding before the Property Tax Appeal Board shall be terminated when the Board renders a decision. The Board may revise and/or correct a decision upon its own initiative at any time prior to the expiration of the Administrative Review filing period as provided in Section 16-195 of the Property Tax Code if a mistake in the calculation of an assessment or other clerical error is discovered. In such event, the Board shall issue an amended decision. The decision or order of the Property Tax Appeal Board in any such appeal shall, within 10 days after it is made and entered, be certified to every party to the proceeding and to the proper authorities, including the board of review whose decision was appealed, the County Clerk who extends taxes upon the assessment in question, and the County Collector (Treasurer) who collects property taxes upon such assessment.

e) A majority of the Members of the Board is required to make a decision of the Board.

f) Final administrative decisions of the Property Tax Appeal Board are subject to review under the provisions of the Administrative Review Law [735 ILCS 5/Art. III] and Section 16-195 of the Property Tax Code [35 ILCS 200/16-195].

g) The required number of copies of all documents in an appeal file necessary to complete the certification of the Property Tax Appeal Board proceedings in answer to a complaint for Administrative Review will be prepared by the Property Tax Appeal Board at a cost to the plaintiff of \$.25 per page, except for pages of the original transcript which will have a cost of \$.75 per page, and for pages larger than legal size which will have a cost of \$1.00 per page. (Section 16-195 of the Code) From the original certification of

PROPERTY TAX APPEAL BOARD

NOTICE OF PROPOSED AMENDMENT

proceedings, which will be filed with the Clerk of the Circuit Court, copies of the proceedings will be prepared and forwarded to the Attorney General, State's Attorney, and the plaintiff in the Administrative Review and one copy will be retained as a permanent record for the Property Tax Appeal Board. An estimate of the cost of preparing a certified record will be mailed to the plaintiff. Upon receipt of the necessary payment, the Property Tax Appeal Board will prepare certification of the proceedings.

h) If a petition is filed by a taxpayer with the Property Tax Appeal Board, the taxpayer is precluded from filing objections based upon valuation in the Circuit Court as may otherwise be permitted by Sections 21-175 and 23-5 of the Property Tax Code. (Section 16-160 of the Code)

i) If a taxpayer files objections based upon valuation in the Circuit Court as permitted by Sections 21-175 and 23-5 of the Property Tax Code, the taxpayer is precluded from filing a petition contesting the assessment of the subject property with the Property Tax Appeal Board. (Section 16-160 of the Code)

j) If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing complaints with the board of review or after adjournment of the session of the board of review at which assessments for the subsequent year are being considered, the taxpayer may, within 30 days after the date of the written notice of the Property Tax Appeal Board decision, appeal the assessment for such subsequent year directly to the Property Tax Appeal Board. (Section 16-185 of the Code)

k) If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel on which a residence occupied by the owner is situated, such reduced assessment, subject to equalization, shall remain in effect for the remainder of the general assessment period as provided in Sections 9-215 through 9-225 of the Code, unless that parcel is subsequently sold in an arm's length transaction establishing a fair cash value for the parcel that is different from the fair cash value on which the Board's assessment is based, or unless the decision of the Property Tax Appeal Board is reversed or modified upon review. (Section 16-185 of the Code)

l) If a stipulation is agreed to by all interested parties, it may be taken into consideration by the Property Tax Appeal Board but must be supported by evidence in the record. The Board reserves the right to write a decision based on the facts, evidence and exhibits in the record.

m) The contesting party may, at any time before the hearing begins, upon notice to the parties to the appeal, move to dismiss the appeal, by written request filed with the Board. However, where a party to the appeal has filed substantive evidence in response to the contesting party's petition, a dismissal will only be granted if no objections are made by any party to the appeal.

PROPERTY TAX APPEAL BOARD

NOTICE OF PROPOSED AMENDMENT

(Source: Amended at 21 Ill. Reg. _____, effective _____)

Section 1910.75 Access to Board Records

- a) Subject to the rights and protections of the Freedom of Information Act [5 ILCS 140.40], the official record in each appeal decided by the Board and not pending in the courts of this State shall be available for public inspection upon making a written request with the Board.
- b) The Property Tax Appeal Board shall publish annually a volume containing synopses of representative cases decided by the Board during that year. The publication shall be organized by or cross-referenced by the issue presented before the Board in each decision contained in the publication. Copies shall be available at a reasonable cost.
- c) Inspection of any files and documents shall be permitted only at the offices of the Board.

(Source: Amended at 21 Ill. Reg. _____, effective _____)

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED REPEALER

1) Heading of the Part: Mobile Home and Mobile Home Parks

2) Code Citation: 77 Ill. Adm. Code 860

3) Section Numbers:

860.10	Repeal
860.100	Repeal
860.110	Repeal
860.120	Repeal
860.130	Repeal
860.140	Repeal
860.150	Repeal
860.200	Repeal
860.300	Repeal
860.310	Repeal
860.320	Repeal
860.330	Repeal
860.340	Repeal
860.350	Repeal
860.360	Repeal
860.370	Repeal
860.380	Repeal
860.390	Repeal
860.400	Repeal
860.410	Repeal
860.420	Repeal
860.430	Repeal
860.440	Repeal
860.500	Repeal
860.510	Repeal
860.520	Repeal
860.530	Repeal
860.540	Repeal
860.550	Repeal
860.560	Repeal
860.570	Repeal
860.600	Repeal
Table A	Repeal
Table B	Repeal
Table C	Repeal
Table D	Repeal
860. Illustration A	Repeal
860. Illustration B	Repeal

4) Statutory Authority: Illinois Mobile Home Park Act [210 ILCS 115]

5) A Complete Description of the Subjects and Issues Involved: The Part being repealed will be replaced by new proposed rules published in this

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED REPEALER

issue of the *Illinois Register*.

- 6) Will this Rulemaking Replace an Emergency Rule Currently in Effect? No
- 7) Does this Rulemaking Contain an Automatic Repeal Date? No
- 8) Does this Rulemaking Contain any Incorporations by Reference? No
- 9) Are there any Other Proposed Amendments Pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a State mandate on units of local government.
- 11) Time, Place, and Manner in which Interested Persons May Comment on this Rulemaking: Interested persons may present their comments concerning this rulemaking in writing within 45 days after this issue of the *Illinois Register* to:
- Gail M. DeVito
Division of Governmental Affairs
Illinois Department of Public Health
535 West Jefferson, Fifth Floor
Springfield, IL 62761
(217)782-6187

This rulemaking may have an impact on small businesses. Any small business commenting on this rulemaking shall indicate their status as such, in writing, in their comments.

- 12) Initial Regulatory Flexibility Analysis:

A) Type of Small Businesses, Small Municipalities, and Not-For-Profit Corporations Affected: Mobile home park owners.

B) Reporting, Bookkeeping or Other Procedures Required for Compliance: None

C) Types of Professional Skills Necessary for Compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: This rule was not included on either of the 2 most recent regulatory agendas because: This rulemaking was ready to be proposed prior to the publication of a regulatory agenda.

The full text of the proposed repealer begins on the next page:

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED REPEALER

TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER q: MOBILE HOMES

PART 860
MOBILE HOMES AND MOBILE HOME PARKS (REPEALED)

SUBPART A: GENERAL

Section
860.10 Definitions

SUBPART B: GENERAL REQUIREMENTS

Section
860.100 Planning
860.110 Application
860.120 Local Government Requirements
860.130 Permits
860.140 Licenses
860.150 Immobilizing Mobile Homes

SUBPART C: DESIGN VARIANCES AND COMPLIANCE BY EXISTING MOBILE HOME PARKS

Section
860.200 Compliance

SUBPART D: DESIGN AND CONSTRUCTION REQUIREMENTS

Section
860.300 Plan Document
860.310 Location
860.320 Roadways and Parking
860.330 Mobile Home Sites and Spacing
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ILLUSTRATION A	Sewer Service Connection
ILLUSTRATION B	
AUTHORITY:	Implementing and authorized by the "Mobile Home and Mobile Home Park Act" (Ill. Rev. Stat. 1981, ch. 111 1/2, pars. 711 et seq.).

SOURCE: Adopted March 2, 1973; amended at 4 Ill. Reg. 46, page 1286, effective January 1, 1981; old rules repealed, new rules adopted and codified at 8 Ill. Reg. 17520, effective Sept. 11, 1984; old Part repealed and new Part adopted at 21 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL

Section 860.10 Definitions

"Act" means the Mobile Home and Mobile Home Park Act (Ill. Rev. Stat. 1981, ch. 111 1/2, pars. 711 et seq.).

"Affidavit" means an oath in writing, sworn before and attested to an individual who has the authority to administer an oath.

"Applicant" means any person making application for a license or permit.

"Construction (in a flood plain)" means the placement or erection of structures or earthworks; land filling, excavation or other non/agricultural alteration of the ground surface; installation of public utilities; channel modification; storage of materials or any other activity undertaken to modify the existing physical features of a flood plain with respect to the storage and conveyance of flood waters.

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"Director" means the Director of the Illinois Department of Public Health.

"Division of Water Resources" means the Illinois Department of Transportation, Division of Water Resources, Department of Transportation Administration Building, Room 300, Springfield, Illinois, 62764.

"Immobilized Mobile Home" means any structure served by individual utilities and resting on a permanent foundation with wheels, tongue, and hitch permanently removed, and properly secured in compliance with The Illinois Manufactured Housing and Mobile Home Safety Act (Ill. Rev. Stat. 1981, ch. 67 1/2, pars. 501 et seq.) and/or The Illinois Mobile Home Tiedown Act (Ill. Rev. Stat. 1981, ch. 111 1/2, pars. 4401 et seq.) and the Department's regulations for the Mobile Home Tiedown Act (77 Ill. Adm. Code 870). The immobilization of a mobile home shall be done in accordance with the following criteria:

The foundation shall extend into the ground below the frost line so as to attach and become part of the real estate. Materials such as concrete, mortared concrete block, or mortared brick shall be used. Where the mobile home is secured to the foundation in accordance with the One and Two Family Dwelling Code (1983) or tied down in accordance with the Mobile Home Tiedown Act it shall be deemed to satisfy the requirement for a permanent foundation. The One and Two Family Dwelling Code (1983) is published by the Council of American Building Officials (CABO), 5205 Leesburg Pike, Falls Church, Virginia 22041 and does not include later amendments or additions.

"License" means a certificate issued by the Department allowing a person to operate and maintain a mobile home park under the provisions of the Act and this Part.

"Licensee" means any person having a license or permit under the Act.

"Owner or Operator" means the licensee.

"Permit" means a certificate issued by the Department permitting the construction, alteration, reduction in number of spaces or the change in ownership of a mobile home park under the provisions of the Act and this Part.

"Person" means any individual, group of individuals, association, trust, partnership, corporation, person doing business under an assumed name, county, municipality, the State of Illinois, or any political sub/division or department thereof, or any other entity.

"Revocation" means to declare invalid a permit or license issued to the applicant or licensee by the Department for an indefinite period of time.

"Space" means a site for a mobile home.

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"Special Flood Hazard Area" means an area having special flood hazards and shown as such on a Regulatory Flood Plain Map (published and available from the Division of Water Resources) or Flood Insurance Rate Map or Flood Hazard Boundary Map published by the Federal Insurance Administration of the Federal Emergency Management Agency.

"State Flood Plain Regulations" means the rules set forth for the Regulation of Construction within the Flood Plains (92 Ill. Adm. Code 706), issued by the Division of Water Resources.

"Suspension" means to declare invalid a permit or license issued to the applicant or licensee by the Department, for a temporary period of time with an expectation of resumption.

SUBPART B: GENERAL REQUIREMENTS

Section 860.100 Planning

Any person, firm or corporation seeking to establish, maintain, conduct, operate, or alter a mobile home park shall obtain a permit to construct or a permit to alter and an original license or a supplemental license to operate a mobile home park.

Section 860.110 Application

- a) All applications for license shall be filed with the Department on forms prescribed, prepared, and furnished by the Department. The application shall contain such information as will be required by the Department for the proper administration and enforcement of the Act and this Part.
- b) Every applicant shall file with the Department a written application, in triplicate, and plan documents for the proposed construction or alteration of a mobile home park.
- c) Applications shall be completed by the application or an engineer or architect who is registered and licensed to practice in the State of Illinois, pursuant to Section 4 of the Act.
- d) Application for permit or license shall be made according to the requirements set forth in Section 4 of the Mobile Home and Mobile Home Park Act (Ill. Rev. Stat. 1981, ch. 111 1/2, par 714).
- e) Each application shall include an application fee of \$100.00 for a permit to construct; or an application fee of \$50.00 for a permit to alter to increase the size of the park. No application fee shall be required where the alteration involves a reduction in the number of mobile home spaces or any change not increasing the spaces in the park. The application fee once paid to the Department shall not be refunded.

Section 860.120 Local Government Requirements

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Local government requirements must be met as specified in Section 5 of the Mobile Home and Mobile Home Park Act.

Section 860.130 Permits

The Department shall review each application and plan documents pursuant to Subparts D and E of this Part and shall issue permits as specified in Section 5 of the Mobile Home and Mobile Home Park Act.

Section 860.140 Licenses

- a) Upon completion of the proposed construction of a mobile home park or the proposed alteration of a mobile home park, the applicant shall notify the Department in order that an inspection of the completed facilities can be made. A license shall be issued by the Department upon verification that the construction is in accordance with plans previously submitted, reviewed, and approved pursuant to Subparts D and E of this Part by the Department, and providing all zoning approvals are obtained and the mobile home park is otherwise in compliance with the Act and this Part.
- b) An existing mobile home park, not previously licensed by this Department, must comply with the Mobile Home and Mobile Home Park Act and this Part. A license shall be issued upon verification by the Department that the mobile home park is in compliance with the Act and this Part.
- c) No license shall be issued unless the requisite fee established pursuant to Section 6 of the Act has been paid to the Department.

Section 860.150 Immobilizing Mobile Homes

Any mobile home park owner who plans to immobilize mobile homes within the park for the purpose of reducing the number of licensed spaces shall file an application in triplicate with the Department, listing the mobile home spaces that are to be immobilized. Upon completion, the owner shall notify the Department.

SUBPART C: DESIGN VARIANCES AND COMPLIANCE BY EXISTING MOBILE HOME PARKS

Section 860.200 Compliance

All existing mobile home parks shall be required to comply with this Part with the following exceptions:

- a) Changes shall not be required in items of construction that were completed in accordance with an approved permit to construct or permit to alter or were previously accepted under an original license to operate issued by the Department unless such items create a significant health or safety problem including but not limited to

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sewage systems, or water supplies, as determined by an inspection by the Department utilizing the standards set forth in the Private Sewage Disposal Code (77 Ill. Adm. Code 905), the Department's rules for Drinking Water Systems (77 Ill. Adm. Code 900) and Water Well Construction (77 Ill. Adm. Code 920), and the Water Well Installation Code (77 Ill. Adm. Code 925)."

- b) The Department shall issue waivers allowing construction at less than the the requirements set forth in this Part provided such waivers are necessary to enable the new construction to be compatible with the existing portion of the mobile home park if such waivers will not create significant health or safety problems, as determined by data, calculations, plans or specifications which support the waiver request.

SUBPART D: DESIGN AND CONSTRUCTION REQUIREMENTS

Section 860.300 Plan Document

In order to obtain a permit to construct or alter or an original license to operate a mobile home park not previously licensed by the Department, the applicant shall submit to the Department a written application with two copies of the plan documents. The plans shall include the following design and construction criteria:

- a) Plans and specifications for all buildings, such as service buildings, containing community kitchens, dining rooms, laundries, and lavatory and toilet facilities shall be included.
- b) All plumbing within a service building shall comply with the Illinois State Plumbing Code (77 Ill. Adm. Code 890). All electrical and heating installations shall be made in accordance with existing municipal and county building ordinances and the other various codes specified in this Part.
- c) All mobile home park construction activities in flood plains under the jurisdiction of the Illinois Department of Public Health shall be built in accordance with the flood damage prevention standards of the Flood Plain Regulations of the Illinois Department of Transportation, Division of Water Resources.
- d) When mobile home park construction activities are proposed in a flood plain, the applicant shall contact the Division of Water Resources to discern if the site is a Special Flood Hazard Area. Determination of Special Flood Hazard Area locations shall be made by utilizing the "Special Flood Hazard Area Location Request Form," which is available from the Illinois Department of Public Health. If the site is located in such an Area, plans for the project to be located in a Special Flood Hazard Area will not be approved without a statement from the Division of Water Resources' Chief Flood Plain Management Engineer that it complies with the requirements of Executive Order No. 79-4.

Section 860.310 Location

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Sites selected for mobile home development shall be well drained and free from topographical or geological hindrances. When natural drainage is not available, a storm drainage system shall be provided so that storm water will not endanger any water supply or surface water course.

Section 860.320 Roadways and Parking

- a) All streets in every park shall be constructed and maintained in a passable and dust/proof condition at all times. All streets shall have a minimum width of 24 feet.
- b) All streets in mobile home parks shall provide vehicular traffic flow in accordance with the specifications in Table A.
- c) No portion of a mobile home shall block, in any way, the pedestrian traffic on walkways.

Section 860.330 Mobile Home Sites and Spacing

- a) Each mobile home site or space constructed after August 21, 1967 shall be provided with a minimum of 2,100 square feet.
- b) No mobile home shall be parked closer than five (5) feet to the side lot lines of a park, or closer than ten (10) feet to a public street, alley or building. Each individual site shall abut or face on a private or public driveway or roadway. There shall be an open space of at least 10 feet adjacent to the sides of every mobile home and at least 5 feet adjacent to the ends of every mobile home.
- c) All mobile home sites, irrespective of shape, shall have a minimum frontage of 25 linear feet.
- d) Pads, runners, or piers of suitable construction material such as, but not limited to, concrete or cement blocks shall be provided for each lot.
- e) All sites shall be constructed to allow the mobile home to be tied down in accordance with the Illinois Mobile Home Tie-down Act and the rules promulgated thereunder (77 Ill. Adm. Code 870).
- f) The exterior construction material of other than the mobile home itself, including but not limited to storage facilities, mobile home skirting, and underpinning shall be of a fire resistant material meeting ASTM E84 (American Society of Testing and Materials: Standard Method of Test for Surface Burning Characteristics of Building Materials, 1981) surface flame spread rating of 200 or less as stated in the Manufactured Home Construction and Safety Standards, 24 CFR 3280 (June 15, 1976). ASTM E84 (1981) is available from the American Society of Testing and Materials, 1916 Race Street., Philadelphia, Pennsylvania 19101 and does not include any later amendments or editions.

Section 860.340 Potable Water Supply

- a) All mobile home parks licensed for 13 spaces or more and served by

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their own water supply source shall be considered to have a community public water system under the jurisdiction of the Illinois Environmental Protection Agency. Permits shall be obtained from that agency prior to constructing any portion of the water supply and/or distribution system.

- b) All water supplies for a mobile home park must be capable of providing at least 250 gallons per space per day and shall come from sources that comply with the Department's rules for Drinking Water Systems (77 Ill. Adm. Code 900).

Section 860.350 Distribution System

- a) Potable water distribution systems shall be designed and constructed in accordance with the Department's regulations for Drinking Water Systems. All plumbing shall be installed in accordance with the Illinois State Plumbing Code.
- b) The inside diameter of the pipe required shall be proportional to the length of the main in accordance with Table B.
- c) The distribution system shall supply water at a minimum pressure of 20 pounds per square inch (psi) during periods of peak demand and usage. When water pressure in the system exceeds 80 psi, a water pressure reducing valve shall be installed. The distribution system shall be looped, whenever possible, and dead-end mains shall be equipped with flush hydrants or equivalent.
- d) A water service connection shall not be less than 3/4 inch inside diameter and shall not serve more than one mobile home at any time.
- e) All water risers shall be at least 3/4 inch in diameter and terminate at least 4 inches above finished ground level or 2 inches above encasement. (See Illustration A)
- f) On new installations, water supply outlets at each mobile home site shall be separated not less than 10 feet horizontally from the sewer outlet.

Section 860.360 Sewage Disposal System

- a) All raw or partially treated sewage within a mobile home park shall discharge into a municipal sewerage system or sewage disposal system approved by the Illinois Environmental Protection Agency or into a private sewage disposal system constructed in accordance with the Illinois Private Sewage Disposal Licensing Act (Ill. Rev.Stat. 1981, ch. 111 1/2, pars. 116.301 et seq.) and the Department's Private Sewage Disposal Code (77 Ill. Adm. Code 910).
- b) A permit must be obtained from the Department to construct a mobile home park sewage disposal system designed to discharge to a subsurface seepage filed or designed for approved surface discharge of

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less than 1,500 gallons per day. Permits will be granted in accordance with the standards set forth in the Private Sewage Disposal Code (77 Ill. Adm. Code 905.30, 905.40, 905.50, and 905.60)."

- c) If a mobile home park sewage disposal system is designed for surface discharge of 1,500 or more gallons per day, a permit for construction must be obtained from the Illinois Environmental Protection Agency pursuant to Section 12 of the Illinois Environmental Protection Act (Ill. Rev. Stat. 1981, ch. 111 1/2, par. 1012).
- d) If existing sewage disposal systems discharge partially treated sewage in mobile home parks, it shall be reconstructed in compliance with the Illinois Private Sewage Disposal Licensing Act and the Department's Private Sewage Disposal Code or meet the requirements of the Illinois Environmental Protection Act (Ill. Rev. Stat. 1981, ch. 111 1/2, pars. 1001 et seq.).
- e) When treatment facilities are designed for a mobile home park, they shall be based on the maximum number of mobile home spaces and designed and constructed on the basis of 250 gallons per space per day.
- f) At all sewer connections, the sewer riser shall be 4" diameter and extend at least four (4) inches above the ground. The connection between the riser and mobile home sewer shall be water and odor tight. (See Illustration B)
- g) Waste drain lines from the mobile home outlet to the receiving sewer shall be of a material in accordance with the Illinois State Plumbing Code and shall be installed with a minimum slope of 1/8" per foot toward the receiving sewer and shall be adequately supported to ensure proper drainage.

Section 860.370 Sewage Collection System

- a) New or altered sewage collection systems shall be designed so as not to conflict with Section 860.340 of this Part. Distances between sewage collection systems and potable water systems shall be maintained in accordance with the Department's rules for Drinking Water Systems (77 Ill. Adm. Code 900).
- b) The minimum design and slope of new sewer installation shall be determined in accordance with Table C.
- c) On new installations, manholes shall be provided at every change in direction or grade, at the upper end of every main sewer line, at every junction of two or more branch sewers, and at intervals of not more than 400 feet. Cleanouts extending to grade may be used instead of manholes on sewer lines no greater than 8 inches in diameter, and shall be at intervals of not more than 100 feet.

Section 860.380 Solid Waste Disposal

- a) All garbage and refuse shall be stored in fly-proof and watertight containers, except when an incinerator device is used in accordance

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with the Illinois Environmental Protection Act (Ill. Rev.Stat. 1981, ch. 111 1/2, pars. 1001 et seq.).

- 1) Garbage containers shall be emptied at least once a week, not filled to overflowing, or allowed to become odorous or breeding areas for insects.
- 2) Garbage and rubbish shall be disposed of without creating a nuisance or menace to health.
- 3) Individual refuse containers shall be located at each space or bulk containers shall be located within 150 feet from any mobile home.
- 4) All containers shall be stored at least 8 inches off the ground surface or on an impervious slab.
- 5) All refuse, which includes garbage, rubbish, and tin cans, shall be stored in a durable, rust resistant, nonabsorbent, water/tight and rodent/proof container having a tight/fitting lid. The container shall be maintained in a sanitary condition and in good repair at all times.
- 6) The minimum capacity for refuse containers shall be equivalent to 40 gallons per mobile home per week when a centralized collection system is utilized.
- 7) Additional containers shall be required by the Department when refuse continuously exceeds the specified capacity of 40 gallons per mobile home per week.
- 8) Refuse shall not be allowed to be placed on the ground. Paper and plastic bags, designed and meant specifically for solid waste that can be sealed to prevent odor and insect breeding, may be used on occasion as a supplement to basic storage containers provided they are kept properly closed and sealed to prevent entry of insects and rodents when not in use, attached to a holder, properly stored at least 8" above ground to prevent scattering by animals or humans, and provided no evidence of rodent activity is observed.
- c) The collection of all solid waste shall be performed by a public or private disposal contractor, if the service is not performed by park personnel.

Section 860.390 Fire Protection

- a) Each mobile home in a mobile home park shall be equipped with fire extinguishers in working order; one in each end of the mobile home in accordance with Section 9.9 of the Act.
- b) Bales of straw or other flammable material shall not be used for skirting or insulation of the mobile home.

Section 860.400 Exterior Lighting

- a) Electrical distribution for electrical lighting systems shall be constructed and maintained in accordance with the safety provisions of the National Fire Protection Association National Electrical Code

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(NFPA 70/1984). The NFPA 7-/1984 is available from the National Fire Protection Association, Inc., Batterymarch Park, Quincy, Massachusetts 02269 and does not include any later amendments or editions.

- b) There shall be an average illumination level of at least 0.6 foot candle and a minimum illumination level of 0.3 foot candle maintained in all areas of the mobile home park. To achieve this level of illumination, the Department recommends the use of 175 watt mercury/vapor lamp or a 600 watt tungsten lamp, at an elevation of 25 feet, every 250 feet. Individual yard lights, having an average equivalent illumination of a 40 watt electric light bulb per space, will be acceptable in lieu of a central lighting system.

Section 860.410 Vector Control

- a) Inset and rodent control measures shall be employed by the mobile home park owner. All buildings shall be insect and rodent proof, and rodent harborages shall not be permitted to exist in the park or pathways.
- b) The mobile home park owner or manager shall maintain and supervise the park to minimize the potential for transmission of disease by vectors as a result of insect breeding and rodent harborage. Drainage to prevent ponding of water shall be maintained. Tires, open containers or vessels subject to collecting and holding water shall not be permitted. Measures shall be taken to control weed and grass growth. Firewood shall be stored in stacks at least 6" above the ground or directly on an impervious surface. Bales of straw or similar material shall not be used as insulation or sheeting material.
- c) Animal retention areas must be cleaned daily of excrement, food and debris.

Section 860.420 Electrical Lighting

- a) All electrical distribution systems in mobile home parks shall be designed, constructed and maintained in accordance with the safety provisions of the National Fire Protection Association National Electrical Code (NFPA 70/1984). Wherever the requirements of local codes and ordinances differ with these regulations, the more stringent requirement shall apply.
- b) Mobile home park electrical wiring systems shall be calculated on the basis of not less than 16,000 watts (at 115/230 volts) per each mobile home service. The demand factors which are set forth in Table D shall be considered the minimum allowable demand factors which shall be permitted in calculating the load on feeder or service entrance conductor. No demand factor shall be allowed for any other load.
- c) Mobile home lot feeder circuit conductors shall have capacity for the loads supplied, and shall be rated at not less than 100 amperes at 115/230 volts. The mobile home lot feeder assembly shall be connected

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d) to the mobile home service equipment by a permanent wiring method.
Power outlets used as mobile home service equipment shall also be permitted to contain receptacles rated up to 50 amperes with appropriate overcurrent protection. Fifty ampere receptacles shall conform to the configuration as approved by the National Electrical Code (1984).

e) Additional receptacles shall be permitted for connection of electrical equipment located outside the mobile home and all such 120/volt, single/phase, 15 and 20 ampere receptacles shall be protected by approved ground/fault circuit protection for personnel.

f) The mobile home service equipment shall be located adjacent to the mobile home and not mounted in or on the mobile home. In cases of electrical service of 50 amperes or less, the power supply to the mobile home shall be by a mobile home power supply cord as approved by Article 339 of the NFPA National Electrical Code. Where the calculated load exceeds 50 amperes, the supply shall be by means of 4 continuous, insulated, color/coded feeder conductors, one of which shall be an equipment grounding conductor.

g) Underground electrical conductors of the direct burial type shall be an approved Type UF (Underground Feeder) Cable of the moisture resistant type which is suitable for branch circuit wiring or one which is approved for the purpose according to Article 400 of the NFPA National Electrical Code. The ampacity of type UF Cable shall be that of 60° C (140° F.) conductors. In addition to the insulated conductor, the cable shall be permitted to have an insulated or bare conductor for equipment grounding purposes only, in a size approved according to Article 400 of the NFPA National Electrical Code. The overall covering shall be flame retardant, moisture resistant, fungus resistant, corrosion resistant and suitable for direct burial in the earth.

h) Where single conductor cables are installed, all cables of the feeder circuit, sub/feeder circuit, or branch circuit, including the neutral conductor, if any, shall be run together in the same trench or raceway.

i) Direct or burial UF cable used for main and branch feeders shall be buried a minimum of 24 inches below ground surface. Conductors servicing the mobile home between the mobile home service equipment and the mobile home shall be buried a minimum of 12 inches below ground surface. Conductors emerging from the ground shall be protected from damage by enclosed raceways. Raceways shall be rigid, corrosion-resistant metal conduit, PVC Schedule 80, or equivalent.

j) A box or fitting shall be used at all conductor splice connections, junction points, service equipment and receptacles. Boxes, installed outdoors, shall be of corrosion-resistant materials and approved as "Raintight" or "Outdoor Type." Boxes shall be secured and supported. Metal boxes shall be grounded according to the National Electric Code (NFPA 70/1984). Conductors entering boxes or fittings shall be protected from abrasion by insulated bushings. Unused openings in

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boxes and fittings shall be effectively closed to afford protection.
k) Mobile home electrical service equipment installations and appurtenances shall be so designed to service the mobile homes in accordance with Article 550, National Electrical Code (1984) requirements for grounding and bonding.

Section 860.430 Fuel Supply and Storage

All handling and storage of natural gas, liquefied petroleum gas (LPG), fuel oil, or other flammable liquids or gases shall be installed and maintained in accordance with applicable state and local government codes and regulations. The Illinois Fire Marshal is the regulatory state agency for safe fuel storage and handling systems, and the applicable regulations are the current National Fire Protection Association Standards, NFPA/31 (1983) "Installation of Oil Burning Equipment"; NFPA/54 (1980) "National Fuel Gas Code"; and NFPA 58 (1983) "Liquefied Petroleum Gases: Storage and Handling." The placement of LPG or fuel oil containers inside or beneath any mobile home, storage cabinet, carport, or any other structure shall be governed by local or municipal ordinance. Containers of fuel shall be at least five feet from any mobile home door or exits, and placed on stands constructed of a noncombustible material.

Section 860.440 Swimming Pools and Beaches

Swimming pools and beaches, if provided, shall be constructed and operated in accordance with the Department's Minimum Sanitary Requirements for the Design and Operation of Swimming Pools and Bathing Beaches (77 Ill. Adm. Code 820), as prescribed under the Swimming Pool and Bathing Beach Act (Ill. Rev. Stat. 1981, ch. 111 1/2, pars. 1201 et seq.). Separate plans and specification are to be submitted to this Department for approval, based upon the Swimming Pool and Bathing Beach Act and regulations promulgated thereunder, prior to construction.

SUBPART E: MOBILE HOME PARK MAINTENANCE AND OPERATION REGULATIONS**Section 860.500 Resident Rights and Duties**

Upon initial admittance to the mobile home park, the mobile home park owner or manager shall notify the mobile home residents of all applicable provisions of the Mobile Home and Mobile Park Act and this Part and inform them of their duties and responsibilities required therein.

Section 860.510 Local Mobile Home Park Rules and Regulations

a) The mobile home park owner shall draft and adopt a separate set of rules and regulations governing the maintenance of the mobile home park to keep its facilities and equipment in good repair and in clean and sanitary condition as required by this Part. Under these rules and regulations, the mobile home park owner or manager shall identify the responsibilities of the management to the mobile home owner and

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shall further identify the responsibilities of the resident in the mobile home park as required by the Mobile Home Park/Landlord and Tenant Act (Ill. Rev. Stat. 1981, ch. 80, pars. 201 et seq.) and the Illinois Mobile Home Tiedown Act.

- b) The local rules and regulations established by the mobile home park owner or manager shall contain, but not be limited to, the control of pets, the storage of refuse and garbage, the design and construction of auxiliary structures, acceptable material for skirting and awnings, the control of inoperable, unlicensed or abandoned automobiles, the policy of performing vehicle repairs, the control of the growth of weeds and grass, control of insects, rats and mice and all other rules and regulations necessary to maintain the mobile home park, its facilities and equipment in good repair and in a clean and sanitary condition.
- c) A copy of the Illinois Mobile Home and Mobile Home Park Act and this Part must be on file at the manager's office for the use of the residents of the park.
- d) The local rules and regulations, established by the mobile home park owner or manager, shall not relieve the owner or manager of compliance with the Illinois Mobile Home and Mobile Home Park Act and this Part.

Section 860.520 Adequate Supervision and Inspection

- a) The person to whom a license for a mobile home park is issued or caretaker shall provide adequate supervision to maintain the mobile home park in compliance with the Illinois Mobile Home and Mobile Home Park Act and this Part and regulations for the Illinois Mobile Home Tiedown Act and applicable provisions of the Mobile Home Landlord and Tenant Act.
- b) The mobile home park owner or caretaker shall conduct inspections to ensure facilities, equipment, services and maintenance are being performed in a satisfactory manner and in compliance with aforementioned Acts and their pursuant regulations.
- c) The facilities and equipment of all service buildings shall be maintained in a sanitary condition and kept in good repair.
- d) The correction of all deficiencies noted by the mobile home park owner or caretaker must be accompanied within five working days, unless specified by the owner or caretaker.

Section 860.530 Site Numbers

The mobile home park owner or caretaker shall maintain a plot plan of the park at the custodian's office, with all sites numbered or marked distinctly. All site shall also be specifically numbered for identification purposes.

Section 860.540 Inspection Doors

When mobile home skirting is installed, a sliding or hinge type of inspection

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door must be provided for use by the Department. The inspection door must be a minimum of 24 inches in width and be located near the sewer riser.

Section 860.550 Fencing

Fencing of individual sites, where permitted by the park owner, shall not exceed 3.5 feet in height and shall provide open space available for fire protection.

Section 860.560 Abandoned Automobiles or Equipment

Any abandoned automobile or piece of equipment having the appearance of being abandoned shall be removed from the park. The storage of unused or not currently licensed vehicles and the performance of major automotive repairs shall not be permitted within the mobile home park. Abandoned automobile removal shall comply with the applicable provisions of the Illinois Vehicle Code (Ill. Rev.Stat. 1981, ch. 95 1/2, pars. 4-201 et seq.).

Section 860.570 Storage

Park residents shall refrain from the storage of household appliances, refrigerators, furniture or similar items outside the mobile home.

SUBPART F: ADMINISTRATIVE HEARINGS

Section 860.600 Rules of Practice and Procedure in Administrative Hearings

Administrative hearings will be conducted in accordance with the Department's Rules of Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code 100).

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Section 860. TABLE A Road Width for Parking

Table A

Road Width for Parking

Road Width	Parking
24 feet	No Parking on Streets, two-way traffic
30 feet	Parking one side of street
36 feet	Parking two sides of street

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Section 860. TABLE B Distribution System Piping

Table B

Distribution System Piping

Size of Main Maximum Length of (inside diameter)	Maximum No. of Mobile Homes that may be served	Maximum length of Main installed (in feet)
2"	20	600
3"	60	1,800
4"	120	3,600
6"	400	12,000

NOTE: If local requirements exceed the above sizes, the local standards will apply.

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Section 860.TABLE C

Minimum Size and Slope of Sewer Mains*

Table C

Minimum Size and Slope of Sewer Mains*

No. of spaces	Sewer Inside Diameter, inches	Minimum Slope per Foot
1/125	6	1/8"
more than 125	8	1/8"

*Exclusive of laterals serving individual mobile homes

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Section 860.TABLE D

Demand Factors for Feeder and Service Entrance Conductors

Table D

Demand Factors for Feeder and Service Entrance Conductors

Number of Mobile Home Lots	Demand Factor (percent)
1	100
2	55
3	44
4	39
5	33
6	29
7/9	28
10/12	27
13/15	26
16/21	25
22/40	24
41/60	23
61 and over	22

The demand factor for a given number of lots shall apply to all lots indicated.

Example: 20 lots calculated at 25 percent of 16,000 watts results in a permissible demand of 4,000 watts per lot or a total of 80,000 watts for 20 lots.

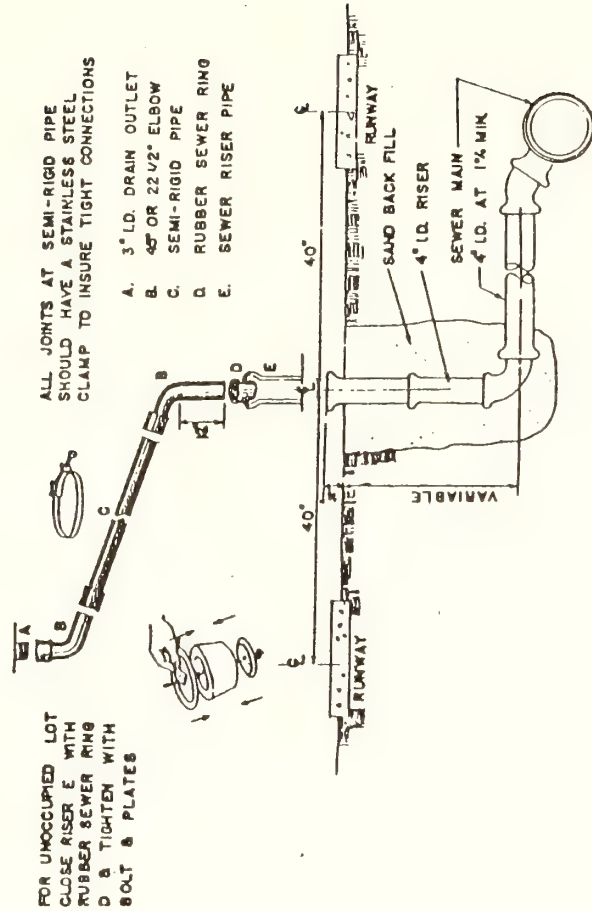
NOTICE OF PROPOSED REPEALER

Section 860 Illustration B

Sewer Service Connection

ILLUSTRATION B

Sewer Service Connection



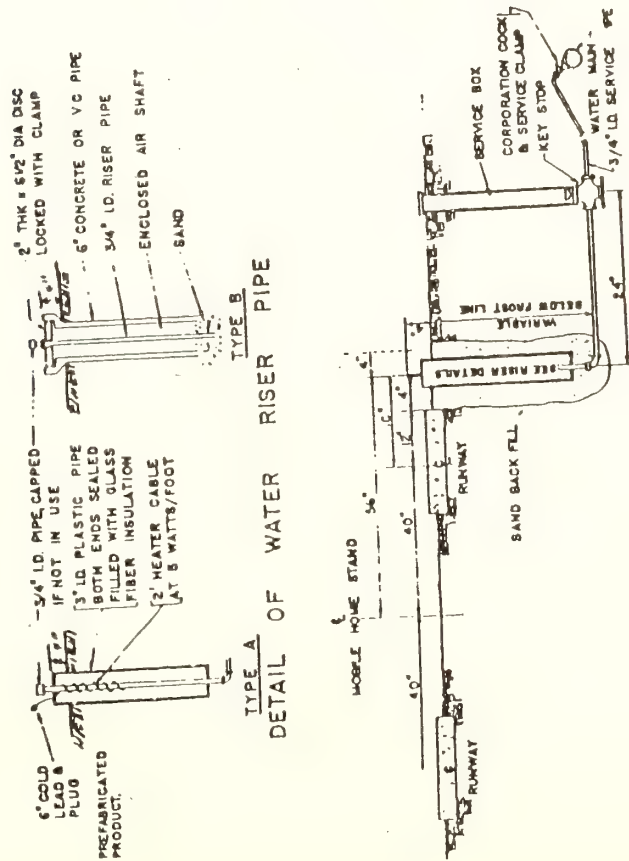
NOTICE OF PROPOSED REPEALER

Section 860 Illustration A

Water Service Connection

ILLUSTRATION A

Water Service Connection



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1) Heading of the Part: Mobile Home Park Code

2) Code Citation: 77 Ill. Adm. Code 860

3) Section Numbers:

860.10 New Section
860.20 New Section
860.100 New Section
860.110 New Section
860.120 New Section
860.130 New Section
860.140 New Section
860.150 New Section
860.160 New Section
860.170 New Section
860.200 New Section
860.210 New Section
860.220 New Section
860.230 New Section
860.240 New Section
860.250 New Section
860.260 New Section
860.270 New Section
860.280 New Section
860.290 New Section
860.300 New Section
860.310 New Section
860.320 New Section
860.330 New Section
860.340 New Section
860.350 New Section
860.360 New Section
860.370 New Section
860.380 New Section
860.390 New Section
860.400 New Section
860.410 New Section
860.420 New Section
860.430 New Section
860.500 New Section
860.510 New Section
860.520 New Section
860. Appendix A New Section
860. Appendix B New Section
860. Appendix C New Section
860. Appendix D New Section
860. Table A New Section
860. Table B New Section

860. Table C New Section
860. Illustration A New Section
860. Illustration B New Section
860. Illustration C New Section
860. Illustration D New Section
860. Illustration E New Section
860. Illustration F New Section

4) Statutory Authority: Illinois Mobile Home Park Act [210 ILCS 115]

5) A Complete Description of the Subjects and Issues Involved: The Illinois Department of Public Health is proposing extensive changes to the Mobile Home Park Code in an effort to provide a safe and healthy environment for the occupants of mobile home communities. In order to accommodate the reorganization of the rules, which were last revised in 1984, the existing rules will be repealed concurrently with the proposal of new rules. In addition to the reorganization of the rules, substantive changes are being proposed as follows:

Section 860.120 adds requirements for the items required on the overall park plan and typical site plan. The plans must include detail showing location of sidewalks, water and sewer pipes, electrical conductors and equipment fuel pipes, park lighting, etc. This Section is an expansion of existing requirements for plans (860.300).

Section 860.130 specifies the requirements for construction in a flood plain, with no substantive changes from the existing rules.

Section 860.140 specifies the requirements for obtaining approval from IEPA and the local jurisdiction for construction of a surface discharging private sewage disposal system with a flow greater than 1,500 gallons per day. This Section contains no substantive change from the existing rules.

Section 860.150 is a new Section outlining procedures for occupancy of newly constructed sites.

Section 860.160 includes the requirements for immobilizing a mobile home. These requirements are an expansion of existing rules, which do not specify requirements for immobilization.

In Section 860.170 the requirements for reducing the number of licensed sites within a park are added. This provision is an existing requirement of the Mobile Home Park Act.

Section 860.200 specifies the separation distances for homes, sheds, garages, carports and porches from each other and streets, alleys and property lines. Existing rules specify the same distances from mobile homes to the side boundaries of the park and to streets, but distances for

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sheds and other structures are new.

Section 860.210 adds detailed requirements for the foundation systems of homes installed after October 1, 1997. This is an expansion of existing requirements.

Section 860.220 requires park owners to maintain streets free of potholes and snow and ice, specifies street construction and parking spaces requirements. This is an expansion of existing requirements.

Section 860.230 clarifies the requirements for water supply and distribution systems. Changes from the existing rules are provisions for shut off-valves for each water riser and freeze protection. Requirements are included for issuing boil orders and notification of tenants when water service is interrupted.

Section 860.240 clarifies sewage disposal requirements.

Section 860.250 updates the reference to the 1996 National Electrical Code for all installations after October 1, 1997. Specific requirements for all other installations including a power supply equal to the amperage requirements of the home located on the site are also new. The requirements for the size, type and location of conductors is added along with maintenance requirements of the electrical system.

Section 860.260 references the most current National Fire Protection Association's Standards (1992 edition) for the distribution, storage and use of natural gas, liquefied petroleum gas, fuel oil and other fuels.

Section 860.270 adds requirements for fire hydrants or holding ponds, in addition to the existing fire safety requirements, and specifies that flammable liquids and combustible materials must be stored at least five feet from the home.

In Section 860.300 several changes are being made to the solid waste disposal requirements.

Section 860.310 clarifies existing requirements for park appearance, references the Abandoned Mobile Home Act, and requires the licensee to repair porches and steps on individual homes. A new provision requires park owners to advise the Department's regional office if unoccupied, damaged homes cannot be repaired or removed within 60 days.

Section 860.320 clarifies site identification provisions by requiring that streets be named and signs provided and utility meters identify the site they serve.

Section 860.330 clarifies vector control provisions with a requirement

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that grass and weeds not be taller than 6 inches.

Section 860.340 adds a new provision allowing fences to be a maximum height of 6 feet. Existing rules allowed a height of 3.5 feet.

In Section 860.350, an existing requirement for 24 inch wide inspection doors in mobile home skirting is maintained in the rules. However, an exception to the inspection door requirement is being added for homes installed prior to October 1997 that are not equipped with an inspection door. The park management will be responsible for providing access for Department inspection for such homes.

Section 860.360 adds a provision allowing recreational vehicles to be parked on licensed sites.

Section 860.370 adds a new requirement that animals be on leashes or in fenced areas.

Section 860.380 adds a requirement for capping or plugging sewer riser, water service and fuel lines at vacant sites.

Section 860.390 adds requirements applicable to duplex mobile homes.

Section 860.400 expands the information the park is required to provide to tenants. The park manager is required to have an answering machine if someone is not usually available to receive calls.

In Section 860.410 the items to be addressed in the park owners rules are clarified, but not substantially changed.

Section 860.420 adds a new reference to the park register requirements in the Mobile Home Park Act.

Section 860.430 adds new provisions requiring the park management to inspect the park at least weekly. A new provision will require park management to correct violations that tenants are responsible for but have not corrected.

Section 860.500 clarifies existing provisions for requesting variances.

Section 860.510 clarifies the right of the individual to request an administrative hearing prior to adverse licensure action.

Section 860.520 adds a provision from the Mobile Home Park Act allowing common operation of a mobile home park consisting of contiguous tracts of land that are separately owned but maintained and operated jointly.

6) Will this Rulemaking Replace an Emergency Rule Currently in Effect? No

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- 7) Does this Rulemaking Contain an Automatic Repeal Date? No
- 8) Does this Rulemaking Contain any Incorporations by Reference? Yes
- 9) Are there any Other Proposed Amendments Pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This rulemaking will not require expenditures by units of local government.

11) Time, Place, and Manner in which Interested Persons May Comment on this Rulemaking: Interested persons may present their comments concerning these rules by writing within 45 days of the Illinois Register to:

Gail M. DeVito
Division of Governmental Affairs
Illinois Department of Public Health
535 West Jefferson, Fifth Floor
Springfield, IL 62761
(217)782-6187

These rules may have an impact on small businesses. Any small business commenting on these rules shall indicate their status as such, in writing, in their comments.

12) Initial Regulatory Flexibility Analysis:

A) Type of Small Businesses, Small Municipalities, and Not-For-Profit Corporations Affected: Mobile home park owners.

B) Reporting, Bookkeeping or Other Procedures Required for Compliance: None

C) Types of Professional Skills Necessary for Compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: This rule was not included on either of the 2 most recent agendas because: This rulemaking was ready to be proposed prior to the publication of a regulatory agenda.

The full text of the Proposed Rules begins on the next page:

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TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
Subchapter q: Mobile Homes

PART 860
MOBILE HOME PARK CODE

SUBPART A: DEFINITIONS AND INCORPORATED MATERIALS

Section	Definitions
860.10	Incorporated and Referenced Materials
860.20	

SUBPART B: PERMITS

Section	Required Permits
860.100	Applications
860.110	Plans
860.120	Flood Plain Requirements
860.130	Occupancy of New Sites
860.140	Immobilization
860.150	Deletion of Sites
860.160	

SUBPART C: REQUIREMENTS OF THE PARK

Section	Layout of the Park
860.200	Foundations
860.210	Streets and Parking
860.220	Water
860.230	Sewage
860.240	Electrical
860.250	Fuel Supply
860.260	Fire Safety
860.270	Lighting
860.280	Pools and Beaches
860.290	Solid and Landscape Waste
860.300	Park Appearance
860.310	Identification of Sites
860.320	Vector Control
860.330	Fences
860.340	Inspection Doors
860.350	Recreational Vehicles
860.360	Animal Control
860.370	Vacant Sites
860.380	Duplex Units
860.390	

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SUBPART D: ADDITIONAL RESPONSIBILITIES OF THE LICENSEE

Section
860.400 Required Documents
860.410 Park Rules
860.420 Register
860.430 Inspections by Park Management

SUBPART E: ADMINISTRATIVE ACTION BY THE DEPARTMENT

Section
860.500 Variance Procedures
860.510 Enforcement Action
860.520 Common Operation

APPENDIX A Regional Offices of the Department
APPENDIX B Explanation of the 1996 National Electrical Code Requirements for Mobile Home Parks
APPENDIX C Unlicensed Motor Vehicles
APPENDIX D Home Rule Units
TABLE A Minimum Road Width
TABLE B Water Distribution Pipe Size
TABLE C Minimum Size and Slope of Sewer Mains
ILLUSTRATION A Park Layout
ILLUSTRATION B Typical Mobile Home Site
ILLUSTRATION C Water Service Connection
ILLUSTRATION D Sewer Service Connection
ILLUSTRATION E Sample Register Information
ILLUSTRATION F Mobile Home Park Electrical System

AUTHORITY: Implementing and authorized by the Mobile Home Park Act [210 ILCS 115].

SOURCE: Adopted March 2, 1973; amended at 4 Ill. Reg. 46, p. 1286, effective January 1, 1981; old rules repealed, new rules adopted and codified at 8 Ill. Reg. 17520, effective September 11, 1984; old Part repealed and new Part adopted at 21 Ill. Reg. _____, effective _____.

SUBPART A: DEFINITIONS AND INCORPORATED MATERIALS

Section 860.10 Definitions

In addition to the definitions contained in the Mobile Home Park Act, the following definitions shall apply.

"Act" means the Mobile Home Park Act [210 ILCS 115].

"Applicant" means any person making application for a license or

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permit.

"Community Public Water Supply System" means a system for the provision to the public of piped water for human consumption, if the system has at least 15 service connections or serves an average of at least 25 individuals daily at least 60 days per year or serves 13 mobile home sites. This includes any collection, treatment, storage and distribution facilities under control of the operator of such system and used primarily in connection with such system and any collection or pretreatment storage facilities not under such control which are used in connection with such system.

"Director" means the Director of the Illinois Department of Public Health.

"License" means a certificate issued by the Department allowing a person to operate and maintain a mobile home park under the provisions of the Act and this Part.

"Licensee" means any person to whom a license or permit has been issued under the Act.

"Owner or Operator" means the licensee.

"Permit" means a certificate issued by the Department permitting the construction, alteration, or the reduction in number of sites of a mobile home park under the provisions of the Act and this Part.

"Person" means any individual, group of individuals, association, trust, partnership, corporation, persons doing business under an assumed name, county, municipality, the State of Illinois, or any political subdivision or department thereof, or any other entity.

"Special Flood Hazard Area" means an area that would be inundated by the base flood and shown as such on either a Regulatory Flood Plain Map (published by the Illinois Department of Natural Resources, Division of Water Resources), a Flood Insurance Rate Map or a Flood Hazard Boundary Map, both published by the Federal Insurance Administration or the Federal Emergency Management Agency.

Section 860.20 Incorporated and Referenced Materials

The following standards of nationally recognized organizations and federal and State regulations are incorporated or referenced in this Part:

- a) The following materials are incorporated by reference and include no later amendments or editions:
 - 1) Standard Specifications for Water and Sewer Main Construction in Illinois, 1996 Edition published by:

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- Illinois Society of Professional Engineers
1304 South Lowell Avenue
Springfield, Illinois 62704
Referenced in Section 860.230.
- 2) Flood Insurance Rate Map and Flood Hazard Boundary Map published by:
Federal Insurance Administration
Region V
300 Wacker Drive, 24th Floor
Chicago, Illinois 60606
Referenced in Section 860.130.
- 3) National Electrical Code, 1996 Edition (NFPA 70-96) published by:
National Fire Protection Association
Batterymarch Park
Quincy, Massachusetts 02269
Referenced in Section 860.250 and Appendix B.
- 4) Installation of Oil Burning Equipment, 1992 Edition (NFPA 31-92) published by:
National Fire Protection Association
Batterymarch Park
Quincy, Massachusetts 02269
Referenced in Section 860.260.
- 5) National Fuel Gas Code, 1992 Edition (NFPA 54-92) published by:
National Fire Protection Association
Batterymarch Park
Quincy, Massachusetts 02269
Referenced in Sections 860.160 and 860.260.
- 6) Storage and Handling of Liquefied Petroleum Gases, 1995 Edition (NFPA 58-95) published by:
National Fire Protection Association
Batterymarch Park
Quincy, Massachusetts 02269
Referenced in Section 860.260.
- 7) American Society of Testing and Materials, Standard Method of Test for Surface Burning Characteristics of Building Materials, Standard E84, published by:
American Society of Testing and Materials
1916 Race Street
Philadelphia, PA 19103
Referenced in Section 860.270.
- b) The following materials are referenced in this Part:
- 1) State of Illinois statutes
- A) Illinois Architectural Practice Act of 1989 [225 ILCS 305]
Referenced in Section 860.120.
- B) Illinois Professional Engineering Act [225 ILCS 325]
Referenced in Section 860.120.
- C) Illinois Vehicle Code [625 ILCS 5/4-203]
Referenced in Section 860.310 and Appendix C.

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- E) Mobile Home Park Landlord and Tenant Act [765 ILCS 745]
Referenced in Section 860.400.
- F) Abandoned Mobile Home Act [210 ILCS 117]
Referenced in Section 860.310.
- G) Private Sewage Disposal Licensing Act [225 ILCS 225]
Referenced in Section 860.240.
- H) Smoke Detector Act [425 ILCS 60]
Referenced in Section 860.410.
- I) Plumbing License Law [225 ILCS 320]
Referenced in Sections 860.230 and 860.240.
- J) Swimming Pool and Bathing Beach Act [210 ILCS 125]
Referenced in Sections 860.120 and 860.290.
- K) Illinois Mobile Home Tie-down Act [210 ILCS 120]
Referenced in Section 860.400.
- L) Illinois Municipal Code [65 ILCS 5/11-40-3]
Referenced in Appendix C.
- M) Counties Code [55 ILCS 5/5-1092]
Referenced in Appendix C.
- N) Townships Code [60 ILCS 1/30-130]
Referenced in Appendix C.
- 2) Department of Public Health regulations
- A) Illinois Swimming Pool and Bathing Beach Code (77 Ill. Adm. Code 820)
Referenced in Section 860.290.
- B) Illinois Plumbing Code (77 Ill. Adm. Code 890)
Referenced in Sections 860.230, 860.240 and Appendix B.
- C) Private Sewage Disposal Code (77 Ill. Adm. Code 905)
Referenced in Section 860.240.
- D) Drinking Water Systems Code (77 Ill. Adm. Code 900)
Referenced in Section 860.230.
- E) Illinois Water Well Construction Code (77 Ill. Adm. Code 920)
Referenced in Section 860.230.
- F) Illinois Water Well Pump Installation Code (77 Ill. Adm. Code 925)
Referenced in Section 860.230.
- G) Surface Source Water Treatment Code (77 Ill. Adm. Code 930)
Referenced in Section 860.230.
- H) Public Area Sanitary Practice Code (77 Ill. Adm. Code 895)
Referenced in Section 860.230.
- I) Mobile Home Tie-down Code (77 Ill. Adm. Code 870)
Referenced in Section 860.360.
- J) Rules for Practice and Procedure for Administrative Hearings (77 Ill. Adm. Code 100)
Referenced in Section 860.510.
- 3) Illinois Pollution Control Board regulations
- A) Public Water Supplies (35 Ill. Adm. Code Subtitle F)
Referenced in Section 860.230.

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- B) Waste Disposal (35 Ill. Adm. Code Subtitle G) Referenced in Section 860.240.
- C) Solid Waste and Special Waste Hauling (35 Ill. Adm. Code Subtitle G, Subchapter i) Referenced in Section 860.300.
- 4) Materials of Other State Agencies
- A) Regulatory Flood Plain Map Published by: Illinois Department of Natural Resources Division of Water Resources 310 South Michigan, Room 1606 Chicago, Illinois 60604 Referenced in Section 860.130.
- B) Statewide Permit Number 6, issued September 15, 1993 by: Illinois Department of Transportation Division of Water Resources 2300 South Dirksen Parkway Springfield, Illinois 62764 Referenced in Section 860.130.

SUBPART B: PERMITS

Section 860.100 Required Permits

Section 4 of the Act specifies the information required to obtain a permit for the construction of a new mobile home park. Section 4.2 of the Act contains the information required to obtain a permit for the alteration of an existing mobile home park. Section 4.3 of the Act contains the information required for a permit to reduce sites in an existing mobile home park. Any upgrading, repairs, or modifications to an existing mobile home site or park must be performed in accordance with the Act and this Part.

Section 860.110 Applications

All permit applications shall be submitted in triplicate to the Department on a form furnished by the Department. The application shall indicate the number and identification of existing sites, new sites to be constructed, licensed sites to be altered or eliminated and the new total number of proposed licensed sites for the licensee.

Section 860.120 Plans

Section 4(d) of the Act specifies that, for a new park, plans must be prepared and sealed by an architect licensed under the authority of the Illinois Architectural Practice Act of 1989 or an engineer licensed under the authority of the Illinois Professional Engineering Act. The plans shall be drawn to scale. Two copies of the plans shall be submitted to the Department. The plans and application material shall contain, at a minimum, an overall park plan and a typical site plan as follows:

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- a) The overall park plan shall include the following information for proposed new park construction and existing sites:
- 1) The location and dimension of each proposed site;
 - 2) The location, width, type of surface material and traffic flow of all streets;
 - 3) The locations of all sidewalks and parking areas;
 - 4) The existing and proposed contours of the area, including an indication of any area in a flood plain;
 - 5) The locations, types, sizes and identification numbers of all water pipes; details of any private or semi-private water sources, sufficient to indicate compliance, and if the park is served by a community public water supply system, the name of the district or municipality;
 - 6) The locations, types, sizes and identification numbers of all sewage pipes, details of all private sewage disposal systems sufficient to indicate compliance, and, if the park is served by a public sewer system, the name of the district or municipality;
 - 7) The locations, types and sizes of all electrical conductors and equipment;
 - 8) The types, sizes, heights and locations of all proposed park lighting;
 - 9) The sizes, locations and types of all fuel pipes; the locations and sizes of all fuel storage tanks;
 - 10) The locations of all recreational equipment, beaches, swimming pools, parks, and community buildings (Swimming pools and bathing beaches are subject to a separate construction permit as required by the Swimming Pool and Bathing Beach Act.);
 - 11) The locations of all existing mobile home sites and any existing utilities that will serve new sites;
 - 12) The types, sizes and locations of all garbage containers and the frequency of garbage collection;
 - 13) The types, sizes and locations of any storm drainage pipes;
 - 14) The locations of fire hydrants and holding ponds and the name of the fire department that serves the park; and
 - 15) The locations of all easements.
- b) The typical mobile home site plan shall include the following:
- 1) Size, type and location of the foundation system for the home;
 - 2) Details and locations of sewer, water and gas piping, showing the height of the risers, the distance separation, and any valves;
 - 3) For private sewage disposal systems, detailed drawings of the proposed system showing the distances between components of the system and potable water systems or bodies of water, soil type and/or percolation rates, depth of ground water table, and size of system components (When a permit for construction of a private sewage disposal system has been obtained or is pending application from the Environmental Protection Agency or a unit of local government, a copy of the permit or permit application shall be submitted.); and

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- a) The utilities shall be disconnected as follows:
- 1) The water service shall be shut off and capped below the frost depth and the riser shall be removed;
 - 2) The sewer pipe shall be cut below the ground level and sealed to prevent sewer gas from escaping;
 - 3) The electrical supply to the site shall be disconnected and the service equipment shall be removed;
 - 4) Any natural gas to the site shall be disconnected below grade and sealed in accordance with the National Fuel Gas Code; and
 - 5) Any propane tanks and the piping thereto shall be removed.
- b) The home shall be removed and the site shall be cleared of any debris or abandoned equipment.
- c) The deletion shall not commence until an application for a permit to alter has been submitted and written approval issued by the Department. Upon completion of the deletion, the Department's regional office shall be contacted to determine compliance with the requirements of this Section. Upon approval, the next year's license shall reflect the new number of sites. If the reduction results in fewer than five licensed sites, the park is no longer subject to licensure and the existing license shall automatically become void upon approval of the reduction.

SUBPART C: REQUIREMENTS OF THE PARK

Section 860.200 Layout of the Park

- a) All areas of the mobile home park shall be drained to prevent ponding of water. If necessary, a storm drainage system shall be installed.
- b) Section 9.3 of the Act specifies the minimum square footage of each site and the location of the homes on the site. (See Section 860. Illustrations A and B.) There shall be a minimum street frontage of 25 linear feet for each site.
- c) Mobile homes located on sites constructed prior to October 1, 1997 shall be at least 5 feet from the property line of the park and 10 feet from any public street, alley, or building. There shall be a minimum separation of 10 feet from the side of a mobile home to another mobile home and a minimum of 5 feet from the end of a mobile home to another mobile home. All portions of sheds, carports, garages, porches, and similar structures shall be at least 3 feet from the park property line, 5 feet from any other structure on adjacent sites, and 10 feet from all public streets.
- d) Mobile homes sites constructed after October 1, 1997 shall be located at least 5 feet from the park property line, 10 feet from public or private streets, alleys, buildings or other mobile homes, and shall not extend over a sidewalk. All portions of sheds, carports, garages, porches and similar structures constructed after October 1, 1997 shall be at least 3 feet from the park property line, 5 feet from any other structure on adjacent sites, and 10 feet from all streets. When

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- 4) Types, locations and ratings of electrical service equipment and conductors with indication of the method of grounding.

Section 860.130 Flood Plain Requirements

Prior to the issuance of a construction permit, the permit applicant shall submit with the application a completed "Special Flood Hazard Area Request Form" provided by the Department. If the site is within a Special Flood Hazard Area, the applicant shall forward to the Illinois Department of Natural Resources, Division of Water Resources, the plans for the project. No project to be located in a Special Flood Hazard Area shall be issued a permit without a copy of a statement from the Division of Water Resources that the construction complies with the requirements of Executive Order 79-4, effective May 31, 1979. Construction of items such as water wells, septic tanks, underground utilities, light poles, pavilions, playground equipment, sidewalks and driveways as specified in Statewide Permit Number 6, issued by the Division of Water Resources, September 15, 1993, are exempt from the requirements of this Section.

Section 860.140 Occupancy of New Sites

No mobile home shall be placed on a site that has not been licensed by the Department. Upon the completion of the construction of new sites, the Department's regional office shall be contacted (see Section 860. Appendix A) to arrange for an inspection. After approval is granted by the inspector, the fee for the license for the new site(s) shall be submitted before the new site(s) shall be licensed or occupied.

Section 860.150 Immobilization

Sites with immobilized mobile homes are exempt from licensure by the Department. In order for a home to be considered immobilized, the following conditions must be met:

- a) The home shall be provided with individual utilities as defined in Section 2.8 of the Act.
- b) The wheels, tongue, and hitch shall be removed and the home shall be supported by a perimeter foundation of material such as concrete, mortared concrete block, or mortared brick which extends below the established frost depth. The home shall be secured to the perimeter foundation with 1/2 inch foundation bolts spaced every 6 feet and within one foot of the corners. The bolts shall be imbedded at least 7 inches into concrete foundations or 15 inches into block foundations

Section 860.160 Deletion of Sites

Section 4.3 of the Act specifies the requirements that must be followed to reduce the number of licensed sites. In addition, the following conditions shall be met:

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questions arise concerning the property lines of the park, the licensee shall be responsible for identifying the legal location.

Section 860.210 Foundations

- a) Sites on which homes are installed prior to October 1, 1997 shall have a foundation system as required by the Mobile Home Park Code in effect at the time of the installation.
- b) Sites on which homes are installed after October 1, 1997 shall be installed in accordance with the home manufacturers specifications or shall contain a minimum 3 1/2 inches thick concrete foundation consisting of a pad, runners or pier footings. Pads shall be the approximate dimension of the home. Runners shall be either parallel or perpendicular to the length of the home. Runners that are parallel with the length of the home shall be a minimum width of 20 inches, extend the approximate length of the home and be located so that blocking rests entirely on the runners. Runners that are perpendicular to the length of the home shall be a minimum of 12 inches wide, extend the approximate width of the home and be spaced at maximum 8 foot intervals center to center along the length of the home. Multi-sectional homes must be properly supported at the mating of the units, in accordance with manufacturer's specifications. Footings for piers shall be a minimum of 400 square inches and centered no more than 8 feet apart under the length of the I beams, and pier blocks shall bear entirely on the footing. The ground and impervious surfaces surrounding the perimeter of the home shall be sloped to direct all surface water away from the home.
- c) The foundation can extend below the frost depth to prevent the home from shifting as a result of the freezing and thawing of the soil. The entire foundation system must be installed at the same approximate depth to prevent damage to the home from frost heave.

Section 860.220 Streets and Parking

- a) All streets shall be maintained reasonably free of potholes, snow, and dust. Streets constructed after October 1, 1997 shall be constructed of rock and oil, asphalt or concrete.
- b) The minimum road width shall comply with Section 860.240.A.
- c) At least two parking spaces shall be provided for each site constructed after October 1, 1997. At least one space shall be available for all other sites.

Section 860.230 Water

- a) Potable water of safe, sanitary quality shall be provided at each site. The source of the water shall be one of the following:
 - 1) A community public water supply system approved by the Illinois Environmental Protection Agency. If 13 or more sites in the park

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are served by a single water source within the park, such as one or more interconnected wells or a surface source water treatment system, that system is subject to the requirements of the Illinois Environmental Protection Agency (35 Ill. Adm. Code Subtitle F).

- 2) If the park has 12 or fewer sites, it may be served by a system of semi-private supplies. These systems shall meet the construction and water quality requirements of the Drinking Water Systems Code. Water wells shall be located and constructed in accordance with the Illinois Water Well Construction Code and water well pump installation shall comply with the Illinois Water Well Pump Installation Code. Surface water supply systems shall be constructed and operated in accordance with the Surface Source Water Treatment Code.
- b) The water distribution system shall be subject to the following requirements:
 - 1) If the park is connected to a community public water supply system and has one main water meter, the distribution system beyond the main meter shall be subject to the requirements of subsection (c) of this Section.
 - 2) If the park is connected to a community public water supply system and the tenants are billed by the park owner for the water based on the readings from the meters at each site, the park owner is considered a water supplier and is subject to the requirements of the Illinois Environmental Protection Agency. The distribution system shall be subject to the requirements of subsection (c).
 - 3) If the park is served by its own community public water supply system, or the park is connected to a community public water supply without a main meter for the park, the distribution system up to the individual service line to each home shall be subject to the requirements of the Illinois Environmental Protection Agency.
- c) The water distribution system shall be designed and constructed in compliance with the requirements of the Drinking Water Systems Code and the Illinois Plumbing Code and shall be installed and maintained by a licensed Illinois plumber in accordance with the Plumbing License Law. The following additional requirements shall be met:
 - 1) The water main distribution pipe shall be sized in accordance with Table B and be of approved material listed in the "Standard Specifications for Water and Sewer Main Construction in Illinois", 1996 Edition.
 - 2) The distribution system shall supply water to each site at a minimum pressure of 20 pounds per square inch during periods of peak usage. A pressure reducing valve shall be installed if the pressure exceeds 80 pounds per square inch. The distribution pipe shall be looped, whenever possible, and dead end mains shall be equipped with flush hydrants or equivalent. Water mains

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- Code.
- 2) A sewage disposal system designed to discharge 1,500 or more gallons per day to the ground surface or to a body of water other than a sewage treatment lagoon (lake, pond, river) shall meet the requirements of the Illinois Pollution Control Board (35 Ill. Adm. Code 309.202(a) and (b)).
 - b) The effluent standards specified in Section 905.110(d) of the Private Sewage Disposal Code shall be met. Malfunctioning sewage disposal systems shall be repaired and maintained in compliance with the requirements specified in subsection (a). Within 48 hours after notification from a tenant or a Department representative, untreated sewage on the ground as a result of a malfunction shall be removed to the extent possible and the contaminated ground surface shall be covered with lime or similar material.
 - c) A sewage collection system shall meet the following requirements:
 - 1) A minimum 4 inch inside diameter sewer riser extending at least 4 inches above the finished grade level shall be provided at each site. The material for the building drain and sewer riser must be approved building drainage pipe material as specified in Section 890.1 Table A of the Illinois Plumbing Code and shall be installed by an Illinois licensed plumber. The connection between the riser and the mobile home sewer pipe shall be watertight and odor tight. A watertight and odor tight cap or plug shall be installed on all sewer risers that are not in use. Provisions shall be included to allow for vertical movement due to frost heave if the home is not supported below the frost depth. See Section 860.1 Illustration D.
 - 2) The building sewer piping must be approved building sewer material as specified in Section 890.1 Table A of the Illinois Plumbing Code and meet the requirements of Section 860.1 Table C.
 - 3) The construction and installation of the sewer mains and lift stations must meet the requirements of the Illinois Pollution Control Board (35 Ill. Adm. Code 370, Illinois Design Standards for Sewage Works) for construction after October 1, 1997. Manholes shall be provided at every change in direction or grade of every main sewer line, at the upper end of every main sewer line, at every junction of two or more branch sewers, and at intervals of not more than 400 feet. Cleanouts extending to grade level may be used instead of manholes on sewer lines 8 inches in diameter or less, and shall be at intervals of not more than 100 feet.

Section 860.250 Electrical

- a) New Installations
 - 1) All electrical distribution systems constructed or altered after October 1, 1997 shall be designed and constructed to conform to the requirements of the National Electrical Code, 1996 Edition.

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- constructed after October 1, 1997 must include flush hydrants or equivalent at a minimum of every 600 feet and at dead ends of piping. Flushing hydrants shall be sized to provide flows that will give a mean velocity of at least 2 1/2 feet per second in the distribution piping being flushed.
- 3) Each site shall be served with a separate minimum 3/4 inch inside diameter service connection.
 - 4) All water risers shall be at least 3/4 inch inside diameter, terminate at least 4 inches above the finished grade, and be separated at least 10 feet horizontally from the sewer riser.
 - 5) An approved shut-off valve shall be provided above ground near each water riser for installations after October 1, 1997.
 - 6) All water lines under the home shall be protected from freezing. The park rules (Section 860.410) shall address the tenant's responsibility concerning protection of water lines from freezing. The park owner is responsible for assuring that freeze protection has been provided. If heat tapes are used, they must be listed for use for mobile homes and installed according to the manufacturer's instructions.
 - d) The park owner shall be responsible for sampling of the water supply system as required by the Department. When a break occurs in the park's distribution system or the pressure in the water distribution system is below the minimum 20 pounds per square inch, the Department's regional office (see Section 860.1 Appendix A) shall be notified by telephone within 24 hours or the next business day. The affected tenants shall be notified immediately by the park management of the need to boil their water for three minutes before drinking it. Placards available from the Department shall be provided at each affected site or a sign shall be posted at the entrance(s) of the park. The Department shall advise the park when the boil order can be lifted.
 - e) All water leaks in the water distribution system, including those under the mobile home, shall be repaired within 72 hours after notification from a tenant or a Department representative. The park rules (Section 860.410) shall address the tenant's responsibility concerning this.
 - f) Notification of anticipated water supply interruptions for periods greater than one hour shall be provided by the park management to the tenants affected by the interruption.

Section 860.240 Sewage

- a) All sewage generated within a mobile home park shall discharge into an approved sewage disposal system.
 - 1) A sewage disposal system designed to discharge below ground, or to the ground surface or to a body of water with a flow of less than 1,500 gallons per day, shall be regulated by the Department and must meet the requirements of the Private Sewage Disposal

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Article 550-C of the National Electrical Code contains specific requirements for mobile home parks. (See Section 860. Appendix B.)

2) For homes installed after October 1, 1997, the mobile home park licensee shall be responsible for providing electrical service equipment at least equivalent to the amperage capacity of the home which it serves.

b) Existing Installations

The following minimum requirements shall apply to electrical systems installed prior to October 1, 1997:

- 1) The electrical distribution system to the mobile home sites shall be single phase, 120/240 volts nominal.
- 2) The type and size of all conductors shall comply with their approved use as indicated in the edition of the National Electrical Code in effect at the time of construction.
- 3) The service equipment shall not be attached to the home, located under the home, or located anywhere that is not readily accessible. Obstructions such as bushes shall not be located within three feet of the front of the service equipment.
- 4) All electrical equipment installed outdoors shall be weatherproof.
- 5) The service equipment and any other electrical devices shall be at least 12 inches above grade and secured to prevent any movement.
- 6) The mobile home feeder conductor shall be either a cord which meets the requirements of the manufacturer of the home or a permanently installed feeder as specified by the National Electrical Code in effect at the time of installation.
- 7) All circuits at the service equipment shall be protected by over-current protection as required by the National Electrical Code.
- 8) All electrical conductors shall either be located overhead or underground. Electrical service entrance conductors approved for underground use shall be buried a depth of at least 24 inches. Feeder conductors approved for underground use shall be buried a depth of at least 12 inches. Conductors in conduit shall be buried a depth of at least 6 inches. All other conductors rated at 150 volts or less shall be buried a depth of at least 18 inches.
- 9) Overhead conductors shall provide an 18 foot vertical clearance in areas subject to vehicular traffic and a 10 foot clearance above grade in all other areas. Electrical conductors emerging from the ground shall be protected by enclosures or raceways for direct buried cable or to the approved buried depth for protected conductors and up to a point 8 feet above grade. Acceptable protection shall be rigid metal, intermediate metal or Schedule 80 non-metallic conduit or channel. Mobile home power supply cords need not be enclosed in conduit or raceways.
- 10) All electrical power distribution conductors shall be continuous

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from fitting to fitting and all connections shall comply with the National Electrical Code.

c) Maintenance of All Systems

All electrical systems shall be maintained in a safe condition. All damaged or defective equipment shall be repaired or replaced, all loose equipment shall be secured, all faceplates and panel fronts shall be in place and all live parts shall be covered to prevent accidental contact. Dead tree branches which overhang distribution wiring shall be removed. All components of the park electrical system shall be inspected by the park management and it shall be the responsibility of the licensee to have any defects corrected. The park rules (see Section 860.410) shall address the tenants responsibility in this area.

Section 860.260 Fuel Supply

The distribution, storage, and use of natural gas, liquefied petroleum gas, fuel oil, or other fuels shall be in accordance with the following:

- a) The National Fire Protection Association's Installation of Oil Burning Equipment, 1992 Edition.
- b) The National Fire Protection Association's National Fuel Gas Code, 1992 Edition.
- c) The National Fire Protection Association's Storage and Handling of Liquefied Petroleum Gases, 1995 Edition.

Section 860.270 Fire Safety

a) Bales of straw or other flammable materials that do not meet the requirements of subsection (c) of this Section shall not be used for skirting or insulation of the mobile home.

b) Garages, carports, porches, awnings, sheds, skirting and other similar appurtenances shall be constructed of material designed for exterior use that meets the flame spread rating of 200 or less in accordance with the American Society of Testing and Materials, Standard Method of Test for Surface Burning Characteristics of Building Materials (Standard E84).

c) Mobile home parks constructed after October 1, 1997 must be located in a fire protection district and provided with fire hydrants within 500 feet of any structure in the park. As an alternative to fire hydrants, a holding pond or other source of water of 100,000 gallons or more accessible to the fire department may be used, if the fire department is capable of pumping from the body of water.

d) Flammable liquids and gasoline-powered equipment shall not be stored within five feet of a mobile home.

e) All intended means of egress from the home shall not be obstructed.

Section 860.280 Lighting

30 feet from any structure.

Section 860.310 Park Appearance

a) Household furniture and appliances, auto parts including tires and batteries, building materials, abandoned equipment and similar items shall not be stored within the park except in sheds or garages with doors. If the above items are to be discarded, they must be removed from the park within 7 days. Precautions shall be taken to prevent entrapment of children in or under any appliance that is being discarded. The park rules (Section 860.410) shall address the tenant's responsibility in this area.

b) Broken or rotted outdoor steps or porches, detached skirting and insulation and similar conditions shall be repaired. If the above items are to be discarded, they must be removed from the park within 7 days.

c) Abandoned homes as defined in the Abandoned Mobile Home Act shall be removed from the park. Damaged homes shall be repaired or removed within 60 days after the date damaged. The park owner shall advise the regional office in writing if removal cannot be accomplished within 60 days, the reason for the delay and the expected date of compliance.

d) Trees and bushes shall not interfere with normal pedestrian and vehicular traffic. Branches shall not touch the roofs of any structure. Dead trees and branches shall be removed.

e) Any abandoned or unused automobile or piece of equipment having the appearance of being abandoned shall be removed from the park. All automobiles, trailers and similar vehicles subject to licensure by the Secretary of State shall have current licenses displayed. The Illinois Vehicle Code specifies the penalty for abandoning automobiles and the provisions for their removal by the park management. (See Section 860.410.)

f) All open excavations must be barricaded to prevent access and to avoid personal and property damage.

Section 860.320 Identification of Sites

All sites shall be identified with a legible reflective or contrasting number or letter a minimum of three inches in height. This identification shall be at the same location for each site and visible from the street. There shall be a logical order for the identification of the sites. The park rules (Section 860.410) shall address the tenant's responsibility concerning this matter. Previous addresses on homes relocated to the park shall be removed. Street signs shall identify all streets that have names. The licensee shall maintain a plan of the park indicating the labeling system, a copy of which shall be available to the Department upon request. All electric and natural gas meters must be identified for the site for which it serves.

There shall be an average illumination level of at least 0.6 foot candles and a minimum illumination level of 0.3 foot candles maintained in all outdoor areas of the mobile home park. To achieve this level of illumination, the following are acceptable:

a) The use of a 175 watt mercury or sodium vapor lamp or a 600 watt tungsten lamp, at an elevation of 25 feet, every 250 feet.

b) Yard lights, at each site, having an average equivalent illumination of a 100 watt electric light bulb.

Section 860.290 Pools and Beaches

Swimming pools and bathing beaches, if provided, shall be constructed and operated in accordance with the Illinois Swimming Pool and Bathing Beach Code. Separate construction permits and licenses are required in accordance with the Swimming Pool and Bathing Beach Act.

Section 860.300 Solid and Landscape Waste

a) All garbage and refuse shall be stored and disposed of so as not to create a nuisance or a health threat.

1) Garbage must be stored in rust resistant, watertight and fly-proof containers with the lids closed.

2) Garbage containers must be stored at least 6 inches off the ground surface or on an impervious surface.

3) Garbage containers must be emptied at least once a week.

4) A minimum capacity of 40 gallons per occupied site per week shall be provided. Sealed bags can be utilized to supplement the required containers on the day of garbage collection only.

5) Individual containers shall be available at each site or bulk containers shall be located within 250 feet of any home. The park rules (Section 860.410) shall address the tenant's responsibility concerning garbage disposal. Upon request, the Department shall grant a variance, under the provisions of Section 850.500, allowing bulk containers to be located more than 250 feet from a home, provided that the Department receives written assurance that the location of the containers is acceptable to the tenants whose homes will be more than 250 feet from the containers.

6) Garbage and refuse shall be disposed of in accordance with the requirements of the Illinois Pollution Control Board (35 Ill. Adm. Code Subtitle G).

b) Landscape waste (leaves, brush, and grass) shall be stored separately from garbage in cans, paper bags, or plastic bags as required by the local requirements. Large branches do not need to be placed in a container prior to disposal.

c) Garbage and refuse shall not be burned in a park unless approval is received from the Illinois Environmental Protection Agency. If leaf burning is permitted in the park, all fires must be located at least

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Section 860.330 Vector Control

The management of the park shall take the following measures to prevent insects and rodents in the park in addition to requirements specified in other Sections of this Part:

- a) Areas of ponding water and items which hold water such as tires shall be eliminated;
- b) Grass and weeds shall not exceed six inches in height;
- c) Firewood shall be stacked at least six inches above the ground or on an impervious surface such as concrete; and
- d) The park shall be cleared daily of animal excrement.

The park rules (Section 860.410) shall address the tenant's responsibility concerning vector control.

Section 860.340 Fences

Fences on individual lots, if permitted by the park owner and the local jurisdiction, shall meet the following provisions:

- a) Fences shall not exceed six feet in height.
- b) Fences shall be sturdy and not present a safety hazard.
- c) Enclosed fenced areas in which the home serves as one side of the enclosure shall be provided with a minimum 36 inch wide gate for accessibility in an emergency.

Section 860.350 Inspection Doors

If mobile home skirting is provided, a sliding or hinged inspection door at least 24 inches wide and the approximate height of the skirting shall be provided near the utility connections to the home. Interlocking skirting with panels removable without the use of tools is acceptable. For homes installed prior to October 1, 1997 and not provided with an inspection door, the park management, upon request from a Department representative, shall remove the skirting to allow for an inspection under the home. The park rules (Section 860.410) shall address this issue.

Section 860.360 Recreational Vehicles

- a) If approved by the park owner, a non-motorized recreational vehicle that meets the following criteria may be located in a mobile home park as a residence:
 - 1) The vehicle contains toilet and bathing facilities;
 - 2) The vehicle is connected to the required utilities in a permanent fashion as prescribed in this Part;
 - 3) The vehicle is intended to be occupied by the same person or persons for at least two consecutive months at one location; and
 - 4) If larger than 8 feet by 32 feet, the vehicle shall be secured as specified in the Mobile Home Tiedown Code (77 Ill. Adm. Code 870).

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- b) Motorized recreational vehicles shall not be located in a mobile home park as a residence.

Section 860.370 Animal Control

All animals must be confined in a fenced area or on a leash at all times the animals are outdoors. The park rules (Section 860.410) shall address this.

Section 860.380 Vacant Sites

When a home is moved from a site, the sewer riser shall be capped or plugged with a watertight and odor-tight fitting. The water shall be shut off and the water line plugged or capped. In freezing weather, the water line must be drained or insulated to prevent breakage. All lines for natural gas, propane and other fuels shall be shut off and plugged or capped. Section 860.160 contains the requirements for deletion of sites.

Section 860.390 Duplex Units

Duplex mobile homes located in a mobile home park must have separate water, sewer and electrical services for each tenant and a one-hour, fire-rated assembly shall separate the units. Sites with a duplex unit shall be considered as two sites for licensure purposes.

SUBPART D: ADDITIONAL RESPONSIBILITIES OF THE LICENSEE

Section 860.400 Required Documents

- a) Upon initial admittance to the mobile home park, the mobile home park owner or manager shall provide a copy of the park rules (Section 860.410) to one tenant of each site.
- b) If the tenant owns the home installed in the park, a copy of the Department's pamphlet entitled "Mobile Home Owner's Tiedown Guide" shall be provided as required by the Mobile Home Tiedown Act.
- c) A copy of the Department's pamphlet entitled "Safety Tips in the Event of a Tornado" shall be provided to one tenant from each site in the park.
- d) The Mobile Home Landlord and Tenant Rights Act requires the park owner to offer a written lease.
- e) A copy of the Mobile Home Park Act and the Mobile Home Park Code shall be available from the park owner or manager for inspection by park residents. Copies may be obtained from any of the Department's offices indicated in Section 860. Appendix A.
- f) The name, address, and telephone number of the park manager whom tenants are to notify of a problem within the park shall be provided to each tenant. An answering machine shall be connected to the park manager's phone if someone is not normally available to answer the calls.

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of its decision to either grant or deny the variance within 60 days after receipt of the request. A variance must be requested and approved before the proposed activity may be implemented. For existing licensed parks, changes shall not be required on items that were previously accepted unless such items create a significant health or safety problem or potential problem, including such conditions as improper sewage disposal, contaminated drinking water and unsafe electrical systems that do not meet the intent of this Part.

Section 860.510 Enforcement Action

Prior to the suspension, denial or revocation of a mobile home park license or the denial of a request for a construction permit, the Department shall offer the person the right to request an administrative hearing. The Department's Rules of Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code 100) shall apply to all proceedings conducted under this Part.

Section 860.520 Common Operation

Section 2.5 of the Act states that separate ownership of contiguous tracts of land shall not preclude the tracts of land from common licensure as a mobile home park if they are maintained and operated jointly. Common maintenance and operation shall include any of the following:

- a) A common name for the properties;
- b) A continuous numbering system for the sites;
- c) Common maintenance of the park's roads, grass, and utilities; or
- d) Property rents paid to one individual or entity.

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Section 860.410 Park Rules

The mobile home park owner shall establish and enforce rules governing the tenant's responsibilities for maintaining the park. The rules established by the mobile home park owner shall include the control of pets, the storage of garbage, the disposal of abandoned equipment and appliances, the construction of auxiliary structures and fences, the necessity of keeping all vehicles currently licensed, the policy for performing vehicle repairs, the control of the growth of weeds and grass, the storage of firewood, the control of insects and rodents, the need to provide access under the home, the protection of water pipes from freezing, the repair of the tenants' water and sewage leaks, the maintenance of the electrical equipment, the maintenance of homes and auxiliary structures, the requirement for the tenant to provide fire extinguishers in the home as required by Section 9 of the Act, the requirements for compliance with the Smoke Detector Act, and all other rules necessary to maintain the mobile home park in compliance with the Act and this Part. Provisions shall be included in the park rules to inform tenants that the park management will correct violations that have not been corrected by the tenant.

Section 860.420 Register

A mobile home park register shall be maintained by the park manager as specified in Section 13 of the Act. (See Section 860.111 Illustration E.)

Section 860.430 Inspection by Park Management

The mobile home park owner or manager shall inspect the park at least weekly to determine the occurrence of any violations of the Department's requirements in the Act and this Part. The tenants shall be required to correct any violations that are their responsibility. If the tenants fail to make the corrections, the park management shall make the corrections and take appropriate action against the tenants as noted in the park rules (Section 860.410). If the park management is in the process of evicting a tenant that is responsible for cited violations, the Department should be advised of the anticipated date of correction of the violations.

SUBPART E: ADMINISTRATIVE ACTION BY THE DEPARTMENT

Section 860.500 Variance Procedures

The Department may grant a variance to a specific provision of this Part when the owner of a mobile home park submits a written request for such variance to the Department, with drawings, specifications, documents, data, or calculations showing that the alternative methods or designs proposed will provide protection equivalent to compliance with the requirements of this Part. The capability of the proposed deviation to ensure protection equivalent to compliance with the requirements of this Part shall be the basis for approval or denial of a variance. The Department shall notify the applicant in writing

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Section 860.APPENDIX B Explanation of the 1996 National Electrical Code Requirements for Mobile Home Parks

All electrical distribution systems constructed or altered after October 1, 1997 must meet the requirements of the 1996 National Electrical Code. Section 860.Illustration F contains a diagram of the electrical system in the park. The following is an explanation of some of the specific requirements of the National Electrical Code.

TRANSFORMERS

1. Article 550-22(a) of the National Electrical Code requires, as a minimum, that the transformer be sized on the larger of (1) 16,000 volt-amperes (at 120/240 volts) for each mobile home site or (2) the load calculated in accordance with Section 550-13 for the largest typical home that each site will accept. Table 550-22 contains the minimum demand factors. The following are examples:

Number of Sites	x Demand Factor =	Minimum Capacity of Transformer (volt - amperes)
1	100%	16,000
2	55%	17,600
3	44%	21,120
4	39%	24,960
5	33%	26,400
6	29%	27,840
7-9	28%	
10-12	27%	
13-15	26%	
16-21	25%	
22-40	24%	
41-60	23%	
61 and over	22%	

2. The transformer shall be grounded as required by Article 250. This conductor shall be sized as required by Article 250-95.

SERVICE ENTRANCE CONDUCTORS

1. The service entrance conductor may either be overhead (see Article 230-B) or underground (see Article 230-C) (See Section 860. Illustration F).
2. The service entrance conductor shall contain a minimum of 2 hot conductors and 1 neutral, all individually insulated. Section 310-15 indicates the requirements and Table 310-16 specifies the minimum size

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of the underground conductors and Tables 310-17, 18 and 19 contain the minimum size of the overhead conductors.

3. Service entrance conductors shall not be spliced (Article 230-46).
4. Overhead conductors must meet the clearance requirement of Article 230-24 (18 feet clearance over streets, 15 feet over driveways, and 10 feet elsewhere). Be advised that height requirements are dependent on the voltage the conductors are carrying.
5. Direct buried cables must be buried a minimum of 24 inches. Rigid metal or intermediate metal conduit must be buried at least 6 inches. See Table 300-5 for other requirements.
6. Conductors emerging from the ground must be protected by enclosures or raceways extending 18 inches below grade for direct buried cable or to the approved buried depth for protected cable and up to a point 8 feet above grade. Acceptable protection shall be rigid metal conduit, intermediate metal conduit or Schedule 80 rigid non-metallic conduit.

SERVICE EQUIPMENT

1. The service entrance equipment must be readily accessible within 30 feet of the home it serves or a properly grounded disconnecting means within 30 feet of the home must be provided (Article 550-23(a)).
2. The service entrance equipment must be rated at least 100 amperes. The equipment may include up to a 50 ampere receptacle if the proper over-current protection is provided (Article 550-23(b)).
3. The equipment must also include provisions for a branch circuit to serve any auxiliary structures or equipment such as yard lights and lawn maintenance equipment (Article 550-23(c)).
4. All 15 and 20 ampere receptacles installed outdoors must be protected by approved ground-fault circuit protection for personnel (Article 550-23(d)).
5. The required disconnection means shall be located between 2 feet and 6 1/2 feet from the ground (Article 550-23(e)).
6. The service equipment shall be grounded as required by Article 250-32. See Section 250-H for the requirements of the grounding electrode system.

FEEDERS

1. The mobile home feeder conductor may either be a factory installed

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cord or a permanently installed feeder. Either shall contain 4 continuous insulated color coded conductors, one which shall be the grounding conductor (Article 550-24).

2. The feeders may be overhead or underground. Similar requirements for clearances and size of the conductors apply as indicated for the service conductor.
3. Underground feeders may be directly buried if they bear a UF or USE marking. Otherwise they must be protected as required by Table 300-5.
4. The underground feeders must be protected as required by Article 300-5(d) where it emerges from the ground both at the service equipment and under the home. Because the home may be subject to a vertical movement due to the freezing of the soil, provisions shall be made to allow for this movement without causing damage to the conductors.

DISTRIBUTION PANEL

The wiring of the distribution panel, which is located in the home, is not within the Illinois Department of Public Health's jurisdiction. However, it is important that the following provisions of Article 550-11 be met.

1. The white (neutral) conductor is required to be run from the "insulated busbar" in the mobile home panel to the service entrance equipment, where it is connected to the terminal at the point of connection to the grounding electrode conductor.
2. The green (grounding) conductor is required to be run from the "panel grounding bus" in the mobile home to the service entrance equipment, where it is connected to the neutral conductor at the point of connection to the grounding electrode conductor.
3. The requirements provide that the grounded (white) conductor and the grounding (green) conductor be kept separate within the mobile home structure and only connected at the service entrance equipment in order to secure the maximum protection against electric shock hazards if the supplied neutral conductor should become open.
4. The grounded circuit conductor (neutral) shall be insulated from the grounding conductors and from equipment enclosures and other grounded parts. The grounded (neutral) circuit terminals in the distribution panelboard shall be insulated from the equipment enclosure.
5. The green colored grounding wire in the feeder shall be connected to the grounding bus in the distribution panelboard.

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6. All exposed non-current-carrying metal parts that may become energized shall be effectively bonded to the grounding terminal of the distribution panelboard. A bonding conductor shall be connected between each distribution panelboard and an accessible terminal on the chassis.

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Section 860.APPENDIX C Unlicensed Motor Vehicles

Section 310(e) of the Mobile Home Park Code prohibits unlicensed vehicles in mobile home parks. This includes cars, trucks, motorcycles and trailers. While it is the park owner's responsibility to assure compliance with this requirement, the park owner may have legal difficulties in getting an unlicensed vehicle either licensed or removed within the time period allotted by the Department (usually 30 days). The Department recognizes this problem and encourages an investigation into the following possibilities.

1. The rules of the particular park should prohibit unlicensed vehicles from being located in the park and contain language that allows the park owner to have unlicensed vehicles towed at the owner's expense after seven days written notice is provided. The tenant should sign an acknowledgment and agreement to the rules.
2. Effective January 1, 1988, the local governmental jurisdiction has the authority to adopt an ordinance to permit them to tow inoperable motor vehicles and their parts after seven days written notification to the owner. Park owners should encourage local jurisdictions to adopt such an ordinance and then advise the authorities when enforcement action needs to be initiated by the local authorities. The language describing this authority is contained in three particular laws for municipalities [65 ILCS 5/11-40-3], for counties [55 ILCS 5/5-1092] and for townships [60 ILCS 1/30-130]. This pertains only to inoperable vehicles but includes those on both public and private property.
3. Section 4-203 of the Illinois Vehicle Code [625 ILCS 5/4-203] contains provisions that allow a park owner to immediately tow an unlicensed vehicle if the owner has a sign posted as specified in the Illinois Vehicle Code.
4. The American Lung Association has a Vehicle Donation Program. For more information contact the American Lung Association, Vehicle Donation Program, #1 Christmas Seal Drive, P.O. Box 2576, Springfield, Illinois 62708-2576, or call 1-800-583-4425.

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Section 860. Appendix D Home Rule Units

Section 26 of the Mobile Home Park Act exempts home rule units. All of Cook County and municipalities with a population of more than 25,000 are home rule units unless a specific referendum was passed. The following is a list of home rule units in Illinois as of December 1, 1995.

Addison	Evanston	Oak Park
Alsip	Evergreen Park	Orland Park
Alton	Flora	Palatine
Arlington Heights	Freeport	Park City
Aurora	Galesburg	Park Forest
Barrington Hills	Glendale Heights	Park Ridge
Bartlett	Glen Ellyn	Pekin
Bedford Park	Glenview	Peoria
Belleville	Glenwood	Peoria Heights
Berwyn	Golf	Peru
Bloomington	Granite City	Quincy
Bloomington	Hanover Park	Rantoul
Bolingbrook	Harvey	Rockdale
Bryant	Harwood Heights	Rock Island
Buffalo Grove	Highland Park	Rolling Meadows
Burbank	Hoffman Estates	Rosemont
Burnham	Joliet	Sauget
Calumet City	Kankakee	Schaumburg
Calumet Park	Lake Barrington	Schiller Park
Carbondale	Lansington	Sesser
Carpentersville	Lincolnshire	Skokie
Carol Stream	Marion	South Barrington
Champaign	Mascoutah	South Holland
Channahon	Maywood	Springfield
Chicago	Mettawa	St. Charles
Chicago Heights	McCook	Standard
Chicago Ridge	Moline	Stickney
Cicero	Monee	Stone Park
Countryside	Morton Grove	Streamwood
Crystal Lake	Mound City	Thornton
Danville	Mount Prospect	Tinley Park
Decatur	Mt. Vernon	University Park
Deerfield	Muddy	Urbana
Dekalb	Murphysboro	Valmeyer
Des Plaines	Naperville	Watseka
Dolton	Naples	Waukegan
Downers Grove	National City	West Dundee
East Hazel Crest	Niles	Wheaton
East St. Louis	Normal	Wheeling
Elgin	Norridge	Wilmette
Elk Grove Village	North Chicago	Woodridge

DEPARTMENT OF PUBLIC HEALTH

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Elmhurst	Oak Forest	Cook County
Elmwood Park	Oak Lawn	

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED RULES

Section 860. TABLE A Minimum Road Width

One Way Traffic
Two Way Traffic
(In feet)

No Parking on Streets	1824
Parking on Streets	2430
Parking on Both Sides	3036

Section 860. TABLE B Water Distribution Pipe Size

Inside Diameter of Main (In inches)	Maximum Number of Mobile Home Sites Connected	Maximum Length of Main (In feet)
2	20	600
3	60	1,800
4	120	3,600
6	400	12,000

NOTE: If local requirements exceed the above sizes, the local standards must be met.

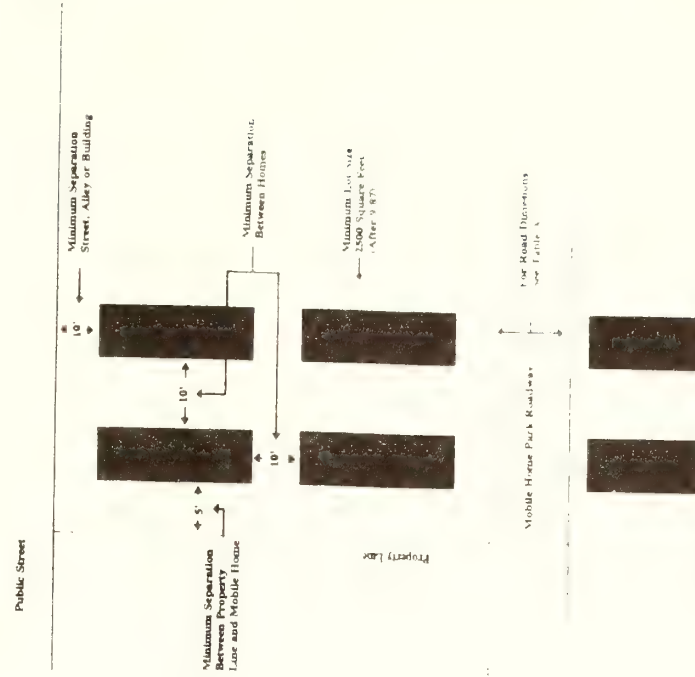
DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED RULES

Section 860. Table C Minimum Size and Slope of Sewer Mains

Number of Sites	Sewer Inside Diameter (Inches)	Minimum Slope
1-125	6	0.75%
more than 125	8	0.40%

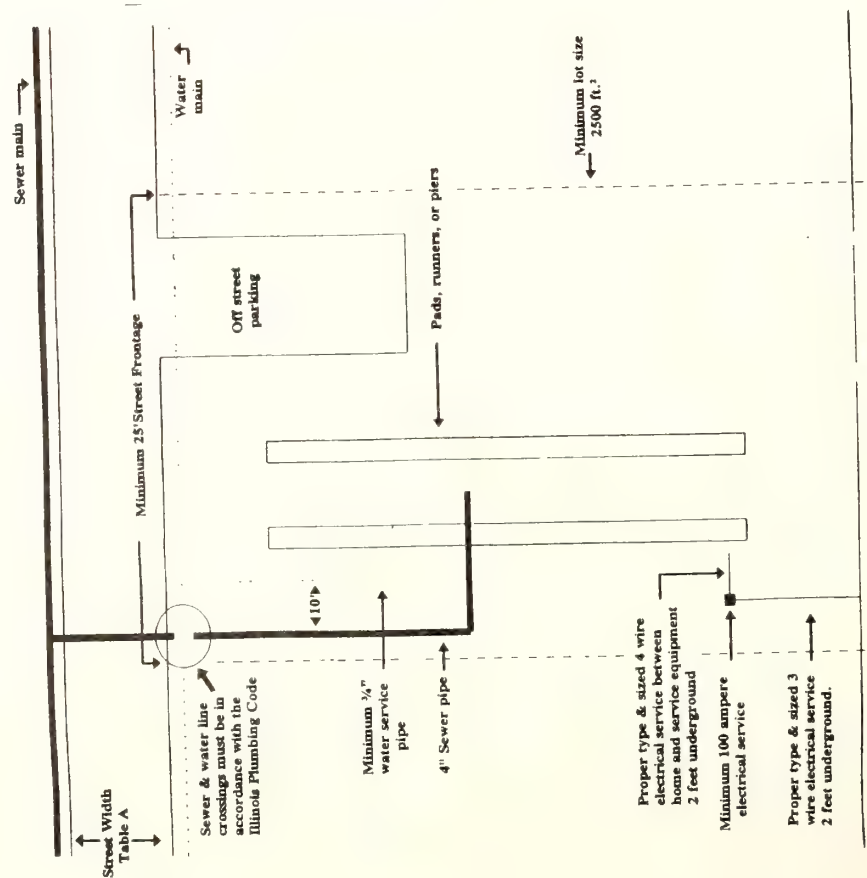
Section 860. ILLUSTRATION A Park Layout



NOTICE OF PROPOSED RULES

Section 860 Illustration B Typical Mobile Home Site

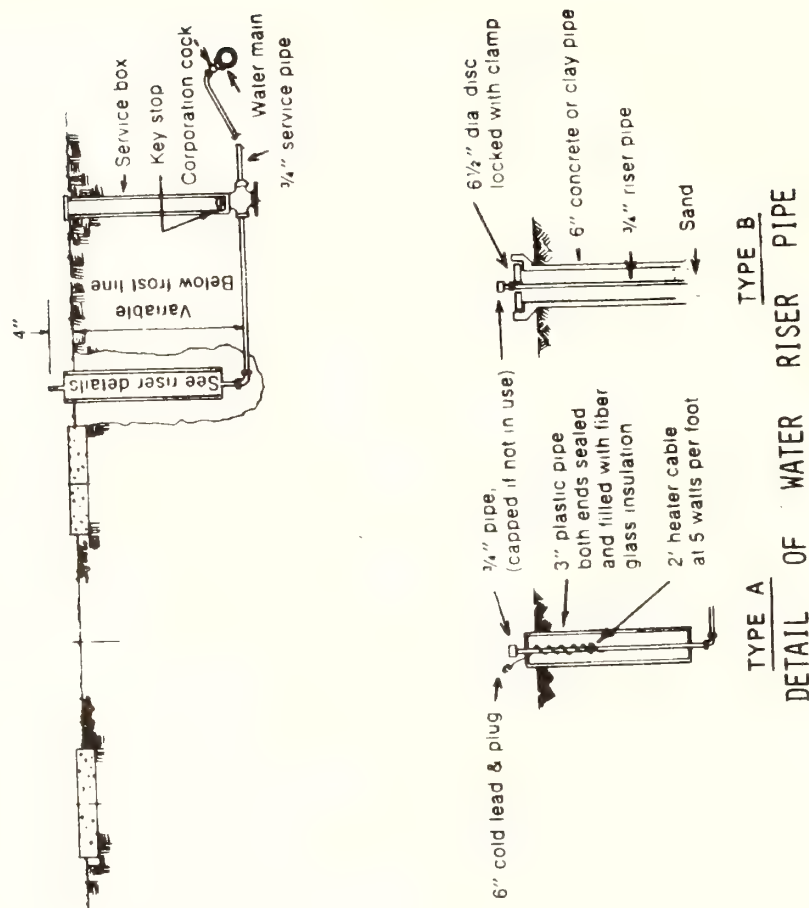
TYPICAL MOBILE HOME SITE



NOTICE OF PROPOSED RULES

Section 860. Illustration C Water Service Connection

WATER SERVICE CONNECTION



TYPE A DETAIL	OF WATER	TYPE B RISER PIPE
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NOTICE OF PROPOSED RULES

Section 860. ILLUSTRATION E Sample Register Information

Address _____

Names of all occupants of Home _____

Secretary of State Vehicle Identification Number _____

Dimensions of Home _____ Square Feet _____

Date Home Moved to Above Address _____

Name of Homeowner _____

Address of Homeowner _____

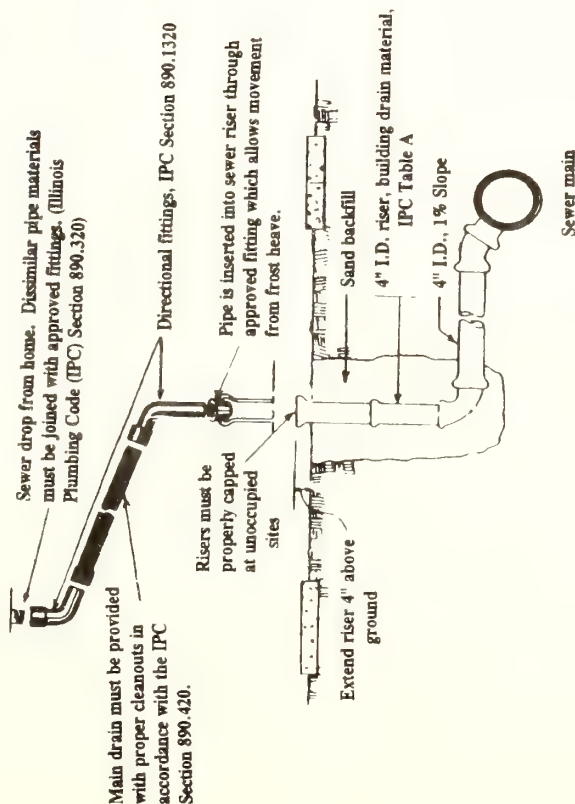
Signature of Owner/Operator _____

(It is suggested that a separate page or card be devoted to each address and that the records be kept in address order. The records of tenants that have moved must be kept for six years from the date of initial occupancy.)

NOTICE OF PROPOSED RULES

Section 860. Illustration D Sewer Service Connection

SEWER SERVICE CONNECTION



CAPITAL DEVELOPMENT BOARD

NOTICE OF ADOPTED REPEALER

changes.

- 13) Will this repealer replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Repealer: This rule is being replaced with a new rule.
- 16) Information and questions regarding this adopted repealer shall be directed to:

Claire Gibson, Deputy Chief Counsel
Capital Development Board
3rd Floor, Wm. G. Stratton Bldg.
Springfield, IL 62706
217/782-2864

CAPITAL DEVELOPMENT BOARD

NOTICE OF ADOPTED RULES

- 1) Heading of the Part: Illinois Accessibility Code

- 2) Code Citation: 71 Ill. Adm. Code 400

- 3) Section Numbers: Adopted Action:

400.110	New
400.120	New
400.130	New
400.140	New
400.150	New
400.160	New
400.170	New
400.180	New
400.210	New
400.220	New
400.310	New
400.320	New
400.330	New
400.350	New
400.360	New
400.410	New
400.420	New
400.510	New
400.520	New
400.610	New
400.620	New
400.630	New
400.710	New
ILLUSTRATION A	New
ILLUSTRATION B	New
ILLUSTRATION C	New
ILLUSTRATION D	New

- 4) Statutory Authority: Implementing and authorized by the Environmental Barriers Act [410 ILCS 25].

- 5) Effective date of Rules: April 24, 1997

- 6) Does this rulemaking contain an automatic repeal date? No

- 7) Does this rule contain incorporations by reference? Yes

- 8) Date filed in Agency's Principal Office: April 24, 1997

- 9) Notice of Proposal Published in Illinois Register: January 3, 1997; 21 Ill. Reg. 45.

- 10) Has JCAR issued a Statement of Objections to this rule? No

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11) Difference(s) between proposal and final version:

- A. Numerous format changes, and grammatical and typographical errors corrected throughout, which do not have substantive effects.
- B. Section 400.210: The definition of transient lodging was changed to exempt Bed and Breakfast establishments as defined by the Illinois Bed and Breakfast Act.
- C. Section 400.310(n)(3) was revised to distinguish single-user toilet rooms.
- D. Section 400.310(o)(8)(B)(i): Addition clarifies that dimensions given are nominal.
- E. Section 400.310(u)(2): Reworded to clarify originally intended meaning.
- F. Section 400.330(a)(2): Clarified elevator exemption of 400.310(g)(16) was substituted. This was an oversight in the first draft.
- G. Section 400.310(b)(4): ADAAG 4.1.3(9) added to clarify when area of rescue assistance is required. This was an oversight in the first draft.
- H. Section 400.310(b)(5): Added to allow areas of rescue assistance in sprinklered buildings and buildings not covered by ADAAG to comply with current IAC requirements.
- I. Section 400.510(b)(4)(c): Change to clarify that exception applies to elevators, platform lifts, and ramps.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this rule replace an emergency rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rules: This rule replaces repealed rule. This rule incorporates federal Americans with Disabilities Act (42 USC 2101) provisions that are more stringent than existing Code requirements.

16) Information and questions regarding this adopted rule shall be directed to:

Claire Gibson, Deputy Chief Counsel
Capital Development Board

CAPITAL DEVELOPMENT BOARD

NOTICE OF ADOPTED RULES

3rd Floor, Wm. G. Stratton Bldg.
Springfield, Illinois 62706
217/782-2864

The full text of the adopted rule begins on the next page:

CAPITAL DEVELOPMENT BOARD

NOTICE OF ADOPTED RULES

TITLE 71: PUBLIC BUILDINGS, FACILITIES, AND REAL PROPERTY
CHAPTER I: CAPITAL DEVELOPMENT BOARD
SUBCHAPTER b: ACCESSIBILITY STANDARDS

PART 400

ILLINOIS ACCESSIBILITY CODE

SUBPART A: ADMINISTRATION

Section
400.110
400.120
400.130
400.140
400.150
400.160
400.170
400.180

Purpose
Standards Incorporated by Reference
Applicability
Civil Enforcement
Local Standards
Revisions to Code
Interpretation of the Requirements
Permits/Statement of Compliance

SUBPART B: DEFINITIONS

Section
400.210
400.220

Code Terms
Space Allowance and Reach Ranges

SUBPART C: PUBLIC FACILITIES - NEW CONSTRUCTION

Section
400.310
400.320
400.330

Public Facilities, New Construction - Minimum Requirements
Additional Requirements for Specific Facility Types
Exemptions

SUBPART D: MULTI-STORY HOUSING, NEW CONSTRUCTION

Section
400.350
400.360

Multi-Story Housing, New Construction
Requirements for Adaptable Dwelling Units

SUBPART E: PUBLIC FACILITIES - ADDITIONS

Section
400.410
400.420

Public Facilities, Additions - Minimum Requirements
Exemptions

SUBPART F: PUBLIC FACILITIES - ALTERATIONS

Section

CAPITAL DEVELOPMENT BOARD

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400.510 Public Facilities, Alterations - Minimum Requirements
400.520 Exemptions to the Alterations Requirements

SUBPART G: HISTORIC PRESERVATION

Section
400.610
400.620
400.630

Historic Preservation, Scope - Minimum Requirements
Alternative Requirements for Historic Buildings
Exemptions for Historic Preservation

SUBPART H: STANDARDS FOR GOVERNMENT LEASING, RENTING OR USE OF
PUBLIC FACILITIES

Section
400.710

Standards for Government Leasing, Renting or Use of Public Facilities

APPENDIX A Graphic Conventions and Figures

ILLUSTRATION A Graphic Conventions
ILLUSTRATION B Graphic Figures
ILLUSTRATION C "Parking" Sign
ILLUSTRATION D "\$100 Fine" Sign

AUTHORITY: Implementing and authorized by the Environmental Barriers Act [410 ILCS 25].

SOURCE: Amended April 21, 1969; amended at 2 Ill. Reg. 52, p. 33, effective December 18, 1978; emergency amendment at 4 Ill. Reg. 9, p. 253, effective February 14, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 27, p. 208, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 30, p. 1252, effective July 11, 1980, for a maximum of 150 days; amended at 5 Ill. Reg. 3797, effective March 31, 1981; codified at 8 Ill. Reg. 19922; Part repealed, new Part adopted at 12 Ill. Reg. 5243; effective May 1, 1988; Part repealed, new Part adopted at 21 Ill. Reg. 5764, effective APR 21 1988.

NOTE: In this Part, superscript numbers or letters are denoted by parenthesis; subscript are denoted by brackets; and SUM means the summation series or sigma function as used in mathematics.

SUBPART A: ADMINISTRATION

Section 400.110 Purpose

- a) The purpose of this Illinois Accessibility Code (IAC or Code) is to implement the Environmental Barriers Act (EBA) [410 ILCS 25] and to replace the former version of the Code (71 Ill. Adm. Code 400) effective May 1, 1988. This Code is intended to ensure that the built environment, including all spaces and elements of all applicable

CAPITAL DEVELOPMENT BOARD

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buildings and facilities in the State of Illinois, is so designed, constructed, and/or altered to assure the safety and welfare of all members of society and to be readily accessible to, and usable by, environmentally limited persons.

This Code is also intended to resolve areas of difference between the federal accessibility standards, Americans with Disabilities Act Accessibility Guidelines (ADAAG), which are applicable to buildings and facilities covered by the Americans with Disabilities Act (ADA), and the Illinois accessibility standards, IAC, which are applicable to buildings and facilities in the State of Illinois covered by the EBA. The drafters of this Code compared and adopted the stricter of State or federal accessible design standards.

- b) This Code, together with the Environmental Barriers Act (EBA) and the standards incorporated by reference identified in Section 400.120, has the force of a building code and as such is law in the State of Illinois.

Section 400.120 Standards Incorporated by Reference

For projects involving alterations to historic buildings only, the "Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings" (Revised 1992), U.S. Department of the Interior, National Park Service, Preservation Assistance Division, Washington, D.C., shall apply. The document is available from the U.S. Government Printing Office, Document No. 024-005-01061-1 Washington, D.C. 20402-9325. It is also available from the Illinois Historic Preservation Agency. The Standards and Guidelines do not include any later amendments or editions.

Section 400.130 Applicability

- a) Buildings and facilities covered: This Code applies to all "public facilities" and "multi-story housing units" as defined and governed by the EBA and located, in whole or in part, within the legal geographic boundaries of the State of Illinois, unless specifically exempted herein.
- b) The fact that a building or facility governed by the EBA is also a facility financed by federal funds is no bar to the application of this Code.
- c) This Code is applicable when work involving new construction, alterations, additions, historic preservation, restoration, or reconstruction in whole or in part begins after the effective date of this Code. The Code becomes enforceable with the signing of a construction contract, issuance of an official authorization or permit for construction, or the start of construction, whichever occurs first.

Section 400.140 Civil Enforcement

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- a) The Attorney General shall enforce the EBA and this Code in accordance with Section 6 of the EBA. *The Attorney General shall investigate any complaint or reported violation and, where necessary to ensure compliance, may bring an action including, but not limited to, any or all of the following:*

- 1) mandamus;
 - 2) injunction to halt the construction, alteration, or use of any public facility which has been or is being constructed, altered, or leased in violation of the EBA and this Code;
 - 3) injunction to halt the construction or use of any multi-story housing unit which has been or is being constructed in violation of the EBA and this Code;
 - 4) actions to require compliance with the EBA and this Code by private persons, State and local authorities, and other entities;
 - 5) actions to impose civil penalties in accordance with Section 7 of the EBA;
 - 6) other appropriate relief (Section 6, EBA).
- b) Upon receipt of a complaint, the Executive Director of the Capital Development Board will forward it to the Attorney General. Any other person may request the State's Attorney of the county in which the public facility or multi-story housing unit is located to initiate prosecution under Section 6 of the EBA, or may forward the complaint to the Attorney General.

Section 400.150 Local Standards

The provisions of the EBA and this Code constitute minimum requirements for all governmental units, including home rule units. Any governmental unit may prescribe more stringent requirements to increase and facilitate access to the built environment by environmentally limited persons (Section 8, EBA).

Section 400.160 Revisions to Code

This Code may be revised from time to time by the Capital Development Board in accordance with the Illinois Administrative Procedure Act [5 ILCS 100] and Section 4 of the EBA.

Section 400.170 Interpretation of the Requirements

- a) Words used in the singular number shall include the plural sense and vice-versa.
- b) Unless otherwise specified in the Code, each element or space of a particular building or facility shall comply with the applicable requirements of this Code.
- c) Use of the terms "provide" or "shall" means the provision is mandatory.
- d) Parenthetical references within this Part are to the Americans with Disabilities Act Accessibility Guidelines that relate to the rule.

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Section 400.180 Permits/Statement of Compliance

- a) Where permits are required for the construction or alteration of any public facility or multi-story housing unit, the plans and specifications submitted by the Owner to obtain such a permit shall be examined for compliance with this Code by the administrative authority which issues the permit for construction.
- b) Section 5(d) of the EBA requires a Statement of Compliance by the architect/engineer unless the cost of construction or alteration is less than \$50,000. For privately owned work it shall be filed with the local administrative authority or, in the absence of an administrative authority, with the County Clerk. For publicly-owned work, it shall be filed with the governmental unit contracting for the work.
- c) The Statement of Compliance shall be worded as follows and signed by the architect/engineer:

STATEMENT OF COMPLIANCE

I have prepared, or caused to be prepared under my direct supervision, the attached plans and specifications and state that, to the best of my knowledge and belief and to the extent of my contractual obligation, they are in compliance with the Environmental Barriers Act [410 ILCS 25] and the Illinois Accessibility Code (71 Ill. Adm. Code 400).

Signed: _____

Architect/Engineer

SEAL

ILLINOIS REGISTRATION NO.: _____

Date: _____

- d) The seal of the architect/engineer as required by Section 14 of the Illinois Architecture Practice Act [225 ILCS 305], Section 12 of the Illinois Structural Engineering Licensing Act [225 ILCS 340] and Section 14 of the Illinois Professional Engineering Practice Act [225 ILCS 325] may be provided in lieu of the "Statement of Compliance" required in subsection (c) above.

SUBPART B: DEFINITIONS

Section 400.210 Code Terms

Unless otherwise expressly stated, the following terms shall, for the purposes of this Code, have the meanings shown in this Section. Where terms are not defined in this Section, they shall have ordinarily accepted meanings such as the context implies.

CAPITAL DEVELOPMENT BOARD

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"Access Aisle": An accessible pedestrian space between elements, such as parking spaces, seating, and desks, that provides clearances appropriate for use of the elements.

"Accessible": Describes a site, building, facility, or portion thereof that complies with this Code.

"Accessible Element": An element specified by this Code (for example, telephone, controls, and the like).

"Accessible Route": A continuous unobstructed path connecting all accessible elements and spaces of a building or facility. Interior accessible routes may include corridors, floors, ramps, elevators, lifts, skywalks, tunnels and clear floor space at fixtures. Exterior accessible routes may include parking access aisles, curb ramps, crosswalks at vehicular ways, walks, ramps, and lifts.

"Accessible Space": All spaces in a building except those which are specifically exempted by the Environmental Barriers Act and this Code.

"Accessibility Standards": As required by the Environmental Barriers Act, accessibility standards means this Code.

"Adaptability or Adaptable": The ability of certain building spaces and elements, such as kitchen counters, sinks, and grab bars, to be added or altered so as to accommodate the needs of individuals with or without disabilities or to accommodate the needs of persons with different types or degrees of disability.

"Adaptable Dwelling Unit": A dwelling unit constructed and equipped so it can be converted with minimal structural change for use by persons with different types and degrees of environmental limitation. (Section 3, EBA)

"Addition": An expansion, extension, or increase in the gross floor area of a public facility or multi-story housing unit (Section 3, EBA). Additions to a building must provide entry from the existing building at all common levels without necessitating leaving and re-entering the addition from the outside.

"Administrative Authority": A jurisdictional body that adopts or enforces codes, regulations and/or standards for the design, construction or alteration of buildings and facilities.

"Alteration": Any modification or renovation that affects or could affect the usability of the building or facility or part of the building or facility. Alteration includes, but is not limited to, remodeling, renovation, rehabilitation, reconstruction, historic

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for estimating, and as interpreted, by the architect/engineer and approved by the administrative authority. Examples are: Robert Snow Means Company, Frank Walker Company or McGraw-Hill Cost Information Systems (Dodge).

"Automatic Door": A door equipped with a power-operated mechanism and controls that open and close the door automatically upon receipt of a momentary actuating signal. The switch that begins the automatic cycle may be a photoelectric device, floor mat, sensing device, or manual switch mounted on or near the door (see Power Assisted Door).

"Bank of Telephones": Two or more adjacent public telephones, often installed as a unit.

"Basement": Any floor level below the ground floor as defined herein (see Story).

"Building": Any structure used and intended for supporting or sheltering any use or occupancy.

"Building Code, Applicable": The building code adopted by the administrative authority under whose jurisdiction the work involved with construction, additions, alterations, or change of occupancy will be carried out. If no building code has been adopted by the administrative authority, or if the work is not within a municipal or other administrative authority's jurisdiction, the building code shall be deemed to be one of the following codes: BOCA National Building Code, 1993, published by the Building Officials and Code Administrators International, Inc., 4051 West Flossmore Road, Country Club Hills, IL 60477, no later amendments or additions included, or Uniform Building Code, 1994, published by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, CA 90601, no later amendments or additions included.

"Built Environment": Those parts of the physical environment which are designed, constructed or altered by people, including all public facilities and multi-story housing units. (Section 3, EBA)

"Children": People below the age of twelve.

"Circulation Path": An exterior or interior way of passage from one place to another, including both horizontal and vertical travel, for pedestrians including, but not limited to, walks, hallways, courtyards, stairways, and stair landings.

"Clear": Unobstructed. Standard door trim, door hardware, wall switches, framed documents, and base trim are not considered to be obstructions in corridors.

preservation, historic reconstruction, historic restoration (as separately required in Section 400.610), changes or rearrangement of the structural parts or elements, extraordinary repairs (as defined herein), changes to or replacement of plumbing fixtures or controls, changes or rearrangement in the plan configuration of walls and full-height partitions, and changes or improvements to parking lots (as separately required in Section 400.510 (e)(10)(C)). The following work is not considered to be an alteration unless it affects the usability of the building or facility: normal maintenance, reroofing, interior or exterior redecoration, changes to mechanical and electrical systems, replacement of plumbing, piping or valves, asbestos removal, or installation of fire sprinkler systems. (Section 3, EBA)

"Architect/Engineer": An architect, professional engineer, or structural engineer as defined by the Illinois Architecture Practice Act, the Illinois Professional Engineering Practice Act, or the Illinois Structural Engineering Licensing Act who has the contract responsibility for the project, who prepares the construction documents from which the building is constructed, and who signs the Statement of Compliance with the Environmental Barriers Act and this Code.

"Archival Storage": Any storage area which is intended for the maintenance of unused records such as "dead files".

"Area, Gross": The total area of a building or part of a building measured from the outside face of the exterior walls, including areas of usable or occupiable basements, but not including areas of basements used for storage or mechanical purposes only, overhangs, and mechanical penthouses on the roof.

"Area, Net": The total usable or occupiable area within the enclosing walls or partitions exclusive of shafts, partitions, columns, walls, elevators, stairs, permanent fixtures, toilet rooms, janitor closets, and mechanical, electrical, and telephone rooms.

"Area of Rescue Assistance": An area, which has direct access to an exit, where people who are unable to use stairs may remain temporarily in safety to await further instructions or assistance during emergency evacuation.

"Assembly Area": A room or space accommodating a group of individuals for recreational, educational, political, social or amusement purposes, or for the consumption of food and drink.

"Authoritative Technical Organization": In reference to cost estimating means any nationally published cost estimating guide used

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"Clear Floor Space": The minimum unobstructed floor or ground space required to accommodate a single, stationary wheelchair and occupant.

"Closed Circuit Telephone": A telephone with dedicated line(s) such as a house phone, courtesy phone, emergency phone, security phone, or phone that must be used to gain entrance into a facility.

"Code": The Illinois Accessibility Code. This Part.

"Common Use or Common Areas": Areas (including interior and exterior rooms, spaces, or elements) which are held out for use by all tenants and owners in public facilities and multi-story housing units (for example, residents of an apartment building, occupants of an office building, or the guests of such residents or occupants) including, but not limited to, lobbies, elevators, hallways, laundry rooms, swimming pools, storage rooms, recreation areas, parking garages, building offices, conference rooms, patios, restrooms, telephones, drinking fountains, restaurants, cafeterias, delicatessens and stores. (Section 3, EBA)

"Construction": Any erection, building, installation or reconstruction. Additions shall be deemed construction for purposes of the Environmental Barriers Act [410 ILCS 25] and this Code. (Section 3, EBA)

"Control": (see Operable Part).

"Cost of the Work": The reasonable estimated cost (for example, based on current cost data listed by an authoritative technical organization) of accomplishing the proposed construction or alteration as determined by the architect/engineer and approved by the administrative authority.

"Cross Slope": The slope that is perpendicular to the direction of travel (see Running Slope).

"Curb Ramp": A short ramp cutting through a curb or built up to it.

"Detectable Warning": A standardized surface feature built in or applied to walking surfaces or other elements to warn people with visual impairments of hazards on the circulation path.

"Disability": A physical or mental impairment that substantially limits one or more major life activities; or a record or history of such an impairment; or being perceived or regarded as having such an impairment (see Environmentally Limited Person).

"Dwelling Unit": A single unit of residence which provides a kitchen

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or food preparation area, in addition to rooms and spaces for living, bathing, sleeping, and the like. Dwelling units are found in housing types such as townhouses and apartment buildings. (Section 3, EBA)

"Element": An architectural or mechanical (including electrical and plumbing) component of a building, facility, space, or site, including but not limited to a telephone, curb ramp, door, drinking fountain, seating, or water closet. (Section 3, EBA)

"Emergency Warning System": A fire alarm or smoke or heat detector system used to activate emergency audible and visual alarms.

"Entrance": Any access point to a building or portion of a building or facility or multi-story housing unit used for the purpose of entering. An entrance includes the approach walk, the vertical access leading to the entrance platform, the entrance platform itself, vestibules if provided, and the entry door or doors or gate or gates (see Principal Entrance and Service Entrance). (Section 3, EBA)

"Environmental Barrier": An element or space of the built environment which limits accessibility to or use of the built environment by environmentally limited persons. (Section 3, EBA)

"Environmentally Limited Person": A person with a disability or condition who is restricted in the use of the built environment (see Disability). (Section 3, EBA)

"Essential Features": Those elements and spaces that make a building or facility usable by, or serve the needs of, its occupants or users. Essential features include, but are not limited to, entrances, toilet rooms, and accessible routes. Essential features do not include those functional spaces which house the major activities for which the building or facility is intended, such as classrooms and offices.

"Exit": That portion of a means of egress which is separated from all other spaces of a building or structure by construction or equipment as required by the applicable building code to provide a protected way of travel to the exit discharge. The walls and ceiling, and any openings therein, of the protected way of travel shall provide a fire resistance rating as required by the applicable building code.

"Exit Access": That portion of a means of egress which leads to an exit.

"Exit Discharge": That portion of a means of egress between the termination of an exit and a public way.

"Extraordinary Repair": The replacement or renewal of any element of

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an existing building or facility for purposes other than normal routine maintenance. It includes, but is not limited to, replacement of sidewalk and curb ramp, replacement of a door and frame, complete stair replacement and plumbing fixture replacement (see Alteration).

"Facility": All or any portion of buildings, structures, site improvements, complexes, equipment, roads, walks, passageways, parking lots, or other real or personal property located on a site (see Public Facility).

"Floor": Any level within a building which may be occupied by the public. Mezzanines and seating tiers are not included in the definition of "floor" in this Code.

"Functional Spaces": The rooms or spaces in a building or facility that house the primary functions for which the building or facility is intended and the secondary or supporting functions that relate to the support, maintenance or performance of the primary functions, including connective or ancillary space such as parking and storage. Unfinished or undeveloped space is included as a "functional space".

"Governmental Unit": *The State or any political subdivision thereof, including but not limited to any county, town, township, city, village, municipality, municipal corporation, school district (Section 3, EBA), park district, sanitary district, local housing authority, public commission, public authority, the Illinois Housing Development Authority or other special purpose district.*

"Grade": The elevation of the finished surface of the ground, paving, or sidewalk within the area between the building and an imaginary line five feet from the building.

"Ground Floor": Any occupiable floor less than one story above or below grade with direct access to grade. A building or facility always has at least one ground floor and may have more than one ground floor as where a split level entrance has been provided or where a building is built into a hillside.

"Hazardous Area": A space or an area which may be dangerous, or cause injury, to a person who accidentally enters into such space or area. Examples include, but are not limited to: loading docks; boiler or heater rooms; power and generation facilities; electrical and telephone equipment spaces; elevator equipment rooms and pits; tanks, lagoons, storage and processing facilities located at/above/below ground level; highly technical facilities or mechanical, electrical or chemical storage and/or processing facilities; and pump facilities; and spaces with complex mechanical components of multi-level construction.

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"Historic Building": All buildings, parts of buildings, facilities or sites individually listed in or eligible for listing in the National Register of Historic Places, a "contributing" building or site in a National Register Historic District as determined by the Illinois Historic Preservation Agency (IHPA) or as determined by a "Certified Local Government" designated by the IHPA, a building or site designated as a historic or architectural landmark by a local Landmarks Commission or local Historic Preservation Commission, and buildings which undergo historic reconstruction.

"Historic Preservation": The act or process of accurately preserving and/or recovering the form and details of a historic building and its setting as it appeared at a particular period of time by means of repair, stabilization, or restoration as defined herein. Historic Preservation also includes "Historic Reconstruction" and "Historic Restoration".

"Historic Reconstruction": The act or process of reproducing by new construction the exact form and detail of an original building, structure, object, or part thereof as it appeared at a specific period of time. Historic Reconstruction only applies to reconstruction of buildings which are open to view by the public, are used to demonstrate historic or architectural values, and/or are used for purposes of display of a historic building type, design, technique of construction or period setting.

"Historic Restoration": The act or process of accurately recovering the form and details of a building or facility and its setting as it appeared at a particular period of time by means of the removal of later works or by replacement of missing earlier work.

"Historically Interpreted Building": A building which in whole or part is open to view by the public and has as its major purpose the display of a historic or architectural artifact created in the past in order to give a sense of cultural orientation and establish values of time and place. Historically interpreted buildings do not necessarily have attendants or formal guided or even self-guided tours.

"Housing, Financed or Guaranteed by a Government Unit": Any building, facility or portion thereof, excluding in-patient medical care facilities, which contains one or more dwelling units or sleeping accommodations, and which is owned by or on behalf of a governmental unit, or financed, in whole or in part, for either initial construction or subsequent alteration, by a grant or loan made or guaranteed by a governmental unit. Such housing may include, but is not limited to, one family dwellings and multi-family dwellings, including multi-story apartment buildings, group homes, dormitories and housing for the elderly.

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"Improved Area": (see Site Improvements).

"In-Patient Medical Care Facility": Medical care facilities are those facilities in which people receive physical or medical treatment or care, where persons may need assistance in responding to an emergency and where the period of stay may exceed 24 hours. (ADAAG 6.1)

"Interior Redecoration": Replacement of interior floor, wall, and ceiling decorative finishes (such as carpet, wall coverings, paint, and paneling), window treatments (such as drapery, blinds, and shades), interior space lighting, fixtures, furnishings, and furniture.

"Level": Any horizontal plane of a building or facility which is designed or intended for human occupancy or habitation.

"Marked Crossing": A crosswalk or other identified path intended for pedestrian use in crossing a vehicular way.

"Means of Egress": A continuous and unobstructed path of travel from any point in a building or structure to a public way, consisting of three separate and distinct parts: the exit access, the exit, and the exit discharge. A means of egress comprises vertical and horizontal means of travel and includes intervening room spaces, doors, hallways, corridors, passageways, balconies, ramps, stairs, enclosures, lobbies, escalators, horizontal exits, courts and yards. (Section 3, EBA)

"Mezzanine": Any intermediate occupiable and usable level placed above any floor of a building and limited to 33% of the net floor area of the floor over which it is placed. The net area of a mezzanine is included in the net area of the floor above which it is placed.

"Multi-Story Housing Unit": Any building of four or more stories containing ten or more dwelling units constructed to be held out for sale or lease by any person to the public. (Section 3, EBA) This category includes, but is not limited to, the following building types: apartment buildings, condominium apartment buildings, convents, housing for the elderly and monasteries.

"Occupiable": A room or enclosed space designed for human occupancy in which individuals congregate for amusement, educational, or similar purposes, or in which occupants are engaged at labor, and that is equipped with means of egress, light, and ventilation. (Section 3, EBA)

"Operable Part": A part of a piece of equipment or appliance used to insert or withdraw objects, or to activate, de-activate, or adjust the equipment or appliance (for example, coin slot, mail drop, pushbutton,

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handle).

"Owner": The person contracting for the construction or alteration. That person may be the owner of the real property or existing facility or may be a tenant of the real property or existing facility. (Section 3, EBA)

"Person": One or more individuals, partnerships, associations, unincorporated organizations, corporations, cooperatives, legal representatives, trustees, receivers, agents, any group of persons or any governmental unit. (Section 3, EBA)

"Planning": The preparation of architectural or engineering designs or plans, technical or other specifications, landscaping plans or other pre-construction plans or specifications. (Section 3, EBA)

"Power-Assisted Door": A door used for human passage, with a mechanism that helps to open the door, or relieves the opening resistance of the door, upon the activation of a switch or a continued force applied to the door itself.

"Principal Entrance": An entrance intended to be used by the residents or users to enter or leave a building or facility. This shall include, but is not limited to, the main entrance.

"Privately Owned Building": Any building which is not publicly owned as defined herein.

"Public": Any group of people who are users of the building and employees of the building, excluding those people who are employed by the owner of a building for construction or alteration of a building. (Section 3, EBA)

"Public Facility": any building, structure, or site improvement which is: owned by or on behalf of a governmental unit; leased, rented or used, in whole or in part, by a governmental unit, or financed, in whole or in part, by a grant or a loan made or guaranteed by a governmental unit; or any building, structure, or site improvement used or held out for use or intended for use by the public or by employees for one or more of, but not limited to, the following: the purpose of gathering, recreation, transient lodging, education, employment, institutional care, or the purchase, rental, sale or acquisition of any goods, personal property or services; places of public display or collection; social service establishments; and stations used for specified public transportation. (Section 3, EBA)

"Public Use": Interior and exterior rooms or spaces that are made available to the general public. Public use may be provided at a

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"Sleeping Accommodations": Rooms in which people sleep, for example, dormitory and hotel or motel guest rooms or suites.

"Space": A definable area such as a toilet room, corridor, assembly area, entrance, storage room, alcove, courtyard, or lobby. (Section 3, EBA)

"State": The State of Illinois and any instrumentality or agency thereof. (Section 3, EBA)

"Storage, Personal": Hang rod, shelving or other facilities that may be provided for storage of personal items.

"Story": That portion of a building included between the upper surface of any floor and the upper surface of the floor or roof next above. The portion between the upper surface of a basement floor and the upper surface of the floor above shall be considered a story if at least 50% of the basement gross floor area consists of functional spaces.

"Structural Change": Changes to or rearrangement of the structural elements, plumbing fixture changes, or changes to or rearrangement of the plan configuration of walls and full height partitions.

"Structural Element": A load-carrying component of a structural system of a building, structure, or facility, such as a foundation, wall, column, strut, slab, beam, girder, truss, or arch.

"Structurally Impracticable": Those rare circumstances when the unique characteristics of terrain prevent the incorporation of accessibility features in new construction.

"Tactile": An object that can be perceived using the sense of touch.

"Technically Infeasible": With respect to an alteration of a building or a facility, a change that has little likelihood of being accomplished because existing structural conditions would require removing or altering a load-bearing member, which is an essential part of the structural frame; or because other existing physical or site constraints prohibit modification or addition of elements, spaces or features which are in full and strict compliance with the minimum requirements for new construction and which are necessary to provide accessibility. (ADAAG 4.1.6)

"Tenant Work": New construction or alterations to the interior of an existing building by an individual or company who does not own the building, but who will lease the space from the building owner.

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building or facility that is privately or publicly owned.

"Publicly Owned Building": Any building owned by the State of Illinois or any governmental unit.

"Ramp": A walking surface which has a running slope greater than 1:20.

"Reconstruction": The act or process of reproducing by new construction the exact form and detail of an original building, structure, object, or part thereof (see Historic Reconstruction).

"Recreational Facility": An assembly area including, but not limited to, the following uses: parks, camping grounds, public indoor and outdoor swimming pools and beaches, zoos, botanical gardens, amusement parks, fair grounds, carnivals, playgrounds, boat launching facilities, arenas, stadia and grandstands.

"Reproduction Cost": The estimated cost of constructing a new building, structure, or site improvement of like size, design and materials at the site of the original building, structure, or site improvement, assuming such site is clear. The reproduction cost shall be determined by using the recognized standards of an authoritative technical organization (see Authoritative Technical Organization for examples of estimating guides). (Section 3, EBA)

"Running Slope": The slope that is parallel to the direction of travel (see Cross Slope).

"Service Entrance": An entrance intended primarily for delivery of goods or services. A service entrance may not be the principal entrance unless it is the only entrance to the building/facility.

"Signage": Displayed verbal, symbolic, tactile and pictorial information.

"Single Family Residence": A building with a residential occupancy containing only one family as defined under the applicable building code. It also includes private parking garages and other accessory buildings on the same lot as a single family residence.

"Site": A parcel of land bounded by a property line or a designated portion of a public right-of-way.

"Site Improvements": Landscaping, pedestrian and vehicular pathways, steps, ramps, curb ramps, parking lots, outdoor lighting, recreational facilities, and the like, added to a site. (Section 3, EBA)

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"Temporary": A building or any element of a building which is not permanent and is designed to be used only for a short period of time for some special purpose. Time limitation within the definition of temporary is generally six months for most temporary buildings or elements. Examples include, but are not limited to: reviewing stands, temporary classrooms, bleacher areas, exhibit areas, temporary banking facilities, temporary health screening services, or temporary safe pedestrian passageways around a construction site.

"Text Telephone/TDP": Machinery or equipment that employs interactive graphic (i.e., typed) communications through the transmission of coded signals across the standard telephone network. Text telephones can include, for example, devices known as TDP's (telecommunication display devices or telecommunication devices for deaf persons) or computers.

"Tier or Tier Seating": Any intermediate occupiable and useable level placed above or below any floor of a building, or a step or raised or lowered platform on the floor itself used normally for elevating or lowering a seating or viewing position. The net area of a tier is included in the net area of the floor above, below or on which it is placed.

"Toilet Rooms": At a minimum, a toilet room will consist of one water closet and one lavatory all located in the same room.

"Transient Lodging": A building or facility or portion of a building or facility, excluding inpatient medical care facilities and owner-occupied buildings of four or fewer lodging units, and Bed and Breakfast establishments of five or fewer guest rooms. Transient lodging may include, but is not limited to, resorts, group homes, hotels and motels, including cabins and other detached units, and dormitories, fraternities and sororities. (Section 3, EBA)

"Vehicular Way": A route intended for vehicular traffic, such as a street, driveway or parking lot.

"Wall": A vertical element used primarily to enclose or separate spaces.

"Walk": An exterior pathway with a prepared surface intended for pedestrian use, including general pedestrian areas such as plazas and courts.

"Work": The process of new construction, alterations, additions, historic preservation, restoration, reconstruction, or the design thereof.

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Section 400.220 Space Allowance and Reach Ranges

- a) **Wheelchair Passage Width**
The minimum clear width for single wheelchair passage shall be 32 in. (815 mm) at a point and 36 in. (915 mm) continuously (see Illustration B, Fig. 1 and 24(e)). (ADAAG 4.2.1)
- b) **Width for Wheelchair Passing**
The minimum width for two wheelchairs to pass is 60 in. (1525 mm) (see Illustration B, Fig. 2). (ADAAG 4.2.2)
- c) **Wheelchair Turning Space**
The space required for a wheelchair to make a 180-degree turn is a clear space of 60 in. (1525 mm) diameter (see Illustration B, Fig. 3(a)) or a T-shaped space (see Illustration B, Fig. 3(b)). (ADAAG 4.2.3)
- d) **Clear Floor or Ground Space for Wheelchairs**
 - 1) **Size and Approach.** The minimum clear floor or ground space required to accommodate a single, stationary wheelchair and occupant is 30 in. by 48 in. (760 mm by 1220 mm) (see Illustration B, Fig. 4(a)). The minimum clear floor or ground space for wheelchairs may be positioned for forward or parallel approach to an object (see Illustration B, Fig. 4(b) and (c)). Clear floor or ground space for wheelchairs may be part of the knee space required under some objects. (ADAAG 4.2.4.1)
 - 2) **Relationship of Maneuvering Clearance to Wheelchair Spaces.** One full unobstructed side of the clear floor or ground space for a wheelchair shall adjoin or overlap an accessible route or adjoin another wheelchair clear floor space. If a clear floor space is located in an alcove or otherwise confined on all or part of three sides, additional maneuvering clearances shall be provided as shown in Illustration B, Fig. 4(d) and (e). (ADAAG 4.2.4.2)
 - 3) **Surfaces for Wheelchair Spaces.** Clear floor or ground spaces for wheelchairs shall comply with Section 400.310(a)(5), (7), (11) and (12). (ADAAG 4.2.4.3)
- e) **Forward Reach**
If the clear floor space only allows forward approach to an object, the maximum high forward reach allowed shall be 48 in. (1220 mm) (see Illustration B, Fig. 5(a)). The minimum low forward reach is 15 in. (380 mm). If the high forward reach is over an obstruction, reach and clearances shall be as shown in Illustration B, Fig. 5(b). (ADAAG 4.2.5)
- f) **Side Reach**
If the clear floor space allows parallel approach by a person in a wheelchair, the maximum high side reach allowed shall be 54 in. (1370 mm) and the low side reach shall be no less than 9 in. (230 mm) above the floor (Illustration B, Fig. 6(a) and (b)). If the side reach is over an obstruction, the reach and clearances shall be as shown in Illustration B, Fig. 6(c). (ADAAG 4.2.6)

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clear head room (see Illustration B, Fig. 8(a)). If vertical clearance of an area adjoining an accessible route is reduced to less than 80 in. (nominal dimension), a barrier to warn blind or visually-impaired persons shall be provided (see Illustration B, Fig. 8(c-1)). (ADAAG 4.3.5; 4.4.2)

5) Ground and Floor Surfaces. Ground and floor surfaces along accessible routes and in accessible rooms and spaces including floors, walks, ramps, stairs, and curb ramps, shall be stable, firm, and slip-resistant, and shall comply with subsection (a)(7), (11) and (12) of this Section. (ADAAG 4.5.1)

6) Slope. An accessible route with a running slope greater than 1:20 is a ramp and shall comply with subsection (e) of this Section. Nowhere shall the cross slope of an accessible route exceed 1:50. (ADAAG 4.3.7)

7) Changes in Level. Changes in level up to 1/4 in. (6 mm) may be vertical and without edge treatment (see Illustration B, Fig. 7(c)). Changes in level between 1/4 in. and 1/2 in. (6 mm and 13 mm) shall be beveled with a slope no greater than 1:2 (see Illustration B, Fig. 7(d)). (ADAAG 4.5.2) If an accessible route has changes in level greater than 1/2 in. (13 mm), then a curb ramp, ramp, elevator, or platform lift (as permitted in subsection (h)(1) of this Section) shall be provided that complies with subsection (d), (e), (g) or (h) of this Section, respectively. An accessible route does not include stairs, steps, or escalators. (ADAAG 4.3.8)

8) Doors. Doors along an accessible route shall comply with subsection (j) of this Section. (ADAAG 4.3.9)

9) Egress. Accessible routes serving any accessible space or element shall also serve as a means of egress for emergencies or connect to an accessible area of rescue assistance (see subsection (b) of this Section). (ADAAG 4.3.10)

10) Protruding Objects. Objects projecting from walls (for example, telephones) with their leading edges between 27 in. and 80 in. (685 mm and 2030 mm) above the finished floor shall protrude no more than 4 in. (100 mm) into walks, halls, corridors, passageways, or aisles (see Illustration B, Fig. 8(a)). Objects mounted with their leading edges at or below 27 in. (685 mm) above the finished floor may protrude any amount (see Illustration B, Fig. 8(a) and (b)). Free-standing objects mounted on posts or pylons may overhang 12 in. (305 mm) maximum from 27 in. to 80 in. (685 mm to 2030 mm) above the ground or finished floor (see Illustration B, Fig. 8(c) and (d)). Protruding objects shall not reduce the clear width of an accessible route or maneuvering space (see Illustration B, Fig. 8(e)). (ADAAG 4.4.1)

11) Carpet. If carpet or carpet tile is used on a ground or floor surface, then it shall be securely attached; have a firm cushion, pad, or backing, or no cushion or pad; and have a level loop,

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SUBPART C: PUBLIC FACILITIES - NEW CONSTRUCTION

Section 400.310 Public Facilities, New Construction - Minimum Requirements

All public facilities to which the Environmental Barriers Act [410 ILCS 25] and this Code apply and which involve work of wholly new construction or reconstruction and not additions, alterations, or historic preservation, shall be accessible to environmentally limited persons on all floors (levels), mezzanines and tiers, unless specifically exempted in this Code by meeting the following requirements:

a) Accessible Route

Accessible routes on an accessible site and for any new site improvements shall be provided to serve all accessible spaces or elements. Accessible routes include exterior routes, at least one accessible entrance, a means of egress, and interior horizontal (e.g., corridors) and vertical (e.g., elevators) circulation routes. Accessible routes shall meet the following requirements:

1) Location.

A) At least one accessible route within the boundary of the site shall be provided from public transportation stops, accessible parking, accessible passenger loading zones, if provided, taxi stands, public streets or sidewalks, and accessible facilities on non-contiguous sites, to an accessible building entrance. (ADAAG 4.3.2(1))

B) At least one accessible route shall connect accessible buildings, facilities, elements, and spaces that are on the same site. (ADAAG 4.3.2(2))

C) At least one accessible route shall connect accessible building or facility entrances with all accessible spaces and elements and with all accessible dwelling units within the building or facility. (ADAAG 4.3.2(3))

D) An accessible route shall connect at least one accessible entrance of each accessible dwelling unit with those exterior and interior spaces and facilities that serve the accessible dwelling unit. (ADAAG 4.3.2(4))

2) Width. The minimum clear width of an accessible route shall be 36 in. (915 mm) except at doors (see subsections (j)(4) and (5) of this Section). If a person in a wheelchair must make a turn around an obstruction, the minimum clear width of the accessible route shall be as shown in Illustration B, Fig. 7(a) and (b). (ADAAG 4.3.3)

3) Passing Space. If an accessible route has less than 60 in. (1525 mm) clear width, then passing spaces at least 60 in. by 60 in. (1525 mm by 1525 mm) shall be located at reasonable intervals not to exceed 200 ft. (61 m). A T-intersection of two corridors or walks is an acceptable passing place. (ADAAG 4.3.4)

4) Head Room. Walks, halls, corridors, passageways, aisles, or other circulation spaces shall have 80 in. (2030 mm) minimum

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textured loop, level cut pile, or level cut/uncut pile texture. The maximum pile thickness shall be 1/2 in. (13 mm) (see Illustration B, Fig. 8(f)). Exposed edges of carpet shall be fastened to floor surfaces and have trim along the entire length of the exposed edge. Carpet edge trim shall comply with the "Changes of Level" requirement at subsection (a)(7) of this Section. (ADAAG 4.5.3)

NOTE: Where a mat is used on a temporary or seasonal basis, it shall be securely attached or have a backing designed to be non-slip.

- 12) Gratings. If gratings are located in walking surfaces, then they shall have spaces no greater than 1/2 in. (13 mm) wide in one direction (see Illustration B, Fig. 8(g)). If gratings have elongated openings, then they shall be placed so that the long dimension is perpendicular to the dominant direction of travel (see Illustration B, Fig. 8(h)). (ADAAG 4.5.4)

b) Means of Egress and Areas of Rescue Assistance

- 1) Exit Access. Accessible routes shall serve as the exit access portion of the means of egress for emergencies, or connect to an accessible area of rescue assistance as required in subsection (b)(4) and (b)(5) of this Section. Where applicable building code provisions require more than one means of egress from any space or room, the exit access portion of each means of egress shall be served by accessible routes.

- 2) Stairs. Stairs meeting the requirements of subsection (f) of this Section and the applicable building code are permitted within the exit portion of the means of egress.

- 3) Exception. Except as required by the applicable building code, a means of egress and an accessible area of rescue assistance are not required for one-family and two-family units and one or two-story detached dwelling units.

- 4) Areas of rescue assistance in buildings without a supervised automatic sprinkler system, other than multi-story housing. Where a required exit from an occupiable level above or below a level of accessible exit discharge is not accessible, areas of rescue assistance shall be provided on each such level (in a number equal to that of inaccessible required exits). Areas of rescue assistance shall comply with the requirements of this subsection (b)(4). A horizontal exit, meeting the requirements of local building/life safety regulations, shall satisfy the requirement for an area of rescue assistance. (ADAAG 4.1.3(9)).

NOTE: In Illinois, there is no exemption from the requirement for an area of rescue assistance in buildings equipped with an automatic fire suppression system.

A) Location and Construction

An area of rescue assistance shall be one of the following:

- i) A portion of a stairway landing within a smoke proof enclosure (complying with local requirements).

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- ii) A portion of an exterior exit balcony located immediately adjacent to an exit stairway when the balcony complies with local requirements for exterior exit balconies. Openings to the interior of the building located within 20 feet (6m) of the area of rescue assistance shall be protected with fire assemblies having a three-fourths hour fire protection rating.

- iii) A portion of a one-hour-fire-resistive corridor (complying with local requirements for fire-resistive construction and for openings) located immediately adjacent to an exit enclosure.

- iv) A vestibule located immediately adjacent to an exit enclosure and constructed to the same fire-resistive standards as required for corridors and openings.

- v) A portion of a stairway landing within an exit enclosure which is vented to the exterior and is separated from the interior of the building with not less than one-hour-fire-resistive doors.

- vi) When approved by the appropriate local authority, an area or a room which is separated from other portions of the building by a smoke barrier. Smoke barriers shall have a fire-resistive rating of not less than one hour and shall completely enclose the area or room. Doors in the smoke barrier shall be tight-fitting smoke- and draft-control assemblies having a fire-protection rating of not less than 20 minutes and shall be self-closing or automatic closing. The area or room shall be provided with an exit directly to an exit enclosure. Where the room or area exits into an exit enclosure which is required to be of more than one-hour-fire-resistive construction, the room or area shall have the same fire-resistive construction, including the same opening protection, as required for the adjacent exit enclosure.

- vii) An elevator lobby when elevator shafts and adjacent lobbies are pressurized as required for smoke proof enclosures by local regulations and when complying with requirements herein for size, communication, and signage. Such pressurization system shall be activated by smoke detectors on each floor located in a manner approved by the appropriate local authority. Pressurization equipment and its duct work within the building shall be separated from other portions of the building by a minimum two-hour fire-resistive construction. (ADAAG 4.3.11.1)

B) Size

- i) Each area of rescue assistance shall provide at least

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two accessible areas each being not less than 30 in. by 48 in. (760 mm by 1220 mm). The area of rescue assistance shall not encroach on any required exit width. The total number of such 30 in. by 48 in. (760 mm by 1220 mm) areas per story shall be not less than one for every 200 persons of calculated occupant load served by the area of rescue assistance.

EXCEPTION: The appropriate local authority may reduce the minimum number of 30 in. by 48 in. (760 mm by 1220 mm) areas to one for each area of rescue assistance on floors where the occupant load is less than 200. (ADAAG 4.3.11.2)

ii) Stairway Width

Each stairway adjacent to an area of rescue assistance shall have a minimum clear width of 48 in. between handrails. (ADAAG 4.3.11.3)

C) Features

i) Two-Way Communication

A method of two-way communication, with both visible and audible signals, shall be provided between each area of rescue assistance and the primary entry. The fire department or appropriate local authority may approve a location other than the primary entry. (ADAAG 4.3.11.4)

ii) Identification

Each area of rescue assistance shall be identified by a sign which states "AREA OF RESCUE ASSISTANCE" and displays the international symbol of accessibility. The sign shall be illuminated when exit sign illumination is required. Signage shall also be installed at an inaccessible exit and where otherwise necessary to indicate clearly the direction to areas of rescue assistance. In each area of rescue assistance, instructions on the use of the area under emergency conditions shall be posted adjoining the two-way communication system. (ADAAG 4.3.11.5)

D) Plan

The floor plan showing exit discharge(s) shall indicate the number of environmentally limited persons anticipated to be evacuated in an emergency for the assistance of the owner in preparing an emergency management evacuation plan prior to occupancy of the building.

- 5) Areas of rescue assistance in multi-story public facilities and multi-story housing units with a supervised automatic sprinkler system and with an exit discharge at grade level from each floor. NOTE: In Illinois, there is no exemption from the requirement for an area of rescue assistance in buildings equipped with a supervised automatic sprinkler system.

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- A) The following types of areas of rescue assistance shall be provided at each floor of the building except the level of exit discharge:

- i) Horizontal exit(s) into another fire compartment as permitted by the applicable building code.
- ii) At least one area of rescue assistance within every stairway which is required as an exit by the applicable building code. The area of rescue assistance shall be at least 10 square feet of clear floor area on each floor landing of the stairs in addition to that area required for exiting, and shall not reduce the travel width or reduce the swing of the door. This area of rescue assistance shall be accessible to an environmentally limited person in a wheelchair and have a configuration that will accommodate at least one wheelchair in positions which do not obstruct people exiting. All elements and the construction of the stairway within which the area of rescue assistance is located shall meet the fire resistance requirements of the applicable building code, or a minimum of one hour fire resistance rating, and shall have self-closing doors.
- iii) The floor plan showing exit discharge(s) shall indicate the number of environmentally limited persons anticipated to be evacuated in an emergency for the assistance of the owner in preparing an emergency management evacuation plan prior to occupancy of the building.
- iv) Areas of rescue assistance in multi-story public facilities and multi-story housing units with a supervised automatic sprinkler system, if stairs are provided leading to grade that are part of a code-required entrance, an accessible exterior platform at the level of exit discharge shall be provided. The platform shall provide an area of at least 10 square feet, in addition to that area required for exiting, that does not reduce the required travel width and is not reduced by the swing of the door. This space shall be accessible to an environmentally limited person in a wheelchair and have a configuration that will accommodate one wheelchair.

c) Parking and Passenger Loading Zones

- 1) Minimum Number. If any parking is provided for employees or visitors, or both, the minimum number of accessible parking spaces to be provided for environmentally limited persons is as follows:

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TOTAL OFF-STREET PARKING SPACES PROVIDED REQUIRED MINIMUM NUMBER OF ACCESSIBLE SPACES

1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501-1000	2% of total number
Over 1000	20 plus 1 for each 100 over 1000

(Table from ADAAG 4.1.2(5)(a))

- 2) Location. Accessible parking spaces serving a particular building shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance. In parking facilities that do not serve a particular building, accessible parking shall be located on the shortest accessible route of travel to an accessible pedestrian entrance of the parking facility. In buildings with multiple accessible entrances with adjacent parking, accessible parking spaces shall be dispersed and located closest to the accessible entrances. The total number of accessible parking spaces may be distributed among parking lots, if greater accessibility is achieved in consideration of such factors as anticipated usage, number and location of entrances and level of parking areas. (ADAAG 4.6.2)
- 3) Dimensions and Markings. Each parking space, except on-street spaces, shall consist of a sixteen foot wide parking space including an eight foot wide diagonally striped access aisle. Adjacent parking spaces shall not share a common access aisle (see Illustration B, Fig. 9(a)). In the alternative, all required parking spaces may be provided in conformance with "Universal Parking Design" (ADAAG Appendix A4.6.3), except that such spaces shall not utilize a shared access aisle with an adjacent space (ADAAG 4.1.2(5)(b) Exception). Under Universal Parking Design, all accessible spaces are sixteen feet wide, including a space eleven feet (132 in., 3350 mm) wide with a five foot (60 in., 1525 mm) diagonally striped access aisle (see Illustration B, Fig. 9(b)). A high quality yellow paint recommended by the paint manufacturer for pavement striping shall be used. Each parking space shall have its own access aisle and all access aisles shall blend to a common level with an accessible route. Parking spaces and access aisles shall be level with surface slopes not exceeding 1:50 (2%) in all directions. (ADAAG 4.6.3) Minimum vertical clearance of 98 in.

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- (2490 mm) at the parking space and along at least one vehicle access route to such spaces from site entrance(s) and exit(s) shall be provided. (ADAAG 4.6.5)
- 4) Attendant-Only or Valet Parking. No accessible parking shall be required if attendant-only or valet parking is provided and is available at all times the facility is open for public use. However, such parking facilities shall provide a passenger loading zone complying with subsection (c)(5) of this Section located on an accessible route to the entrance of the facility. (ADAAG 4.1.2(5)(e)) If accessible at-grade parking is available, at least one space for self-parking of a vehicle with sensitive specialized control devices shall be provided.
- 5) Passenger Loading Zones. Passenger loading zones shall provide an access aisle at least 60 in. (1525 mm) wide and 20 ft. (240 in., 6100 mm) long adjacent and parallel to the vehicle pull-up space (see Illustration B, Fig. 10). If there are curbs between the access aisle and the vehicle pull-up space, then a curb ramp complying with subsection (d) of this Section shall be provided. Vehicle standing spaces and access aisles shall be level with surface slopes not exceeding 1:50 (2%) in all directions. Accessible passenger loading zones shall provide minimum vertical clearance of 114 in. (2895 mm) at accessible passenger loading zones and along at least one vehicle access route to such areas from site entrance(s) and exit(s). (ADAAG 4.6.6)
- 6) Medical Facilities. At facilities providing medical care and other services for persons with mobility impairments, parking spaces shall be provided in accordance with subsection (c) of this Section except as follows:
- A) Outpatient units and facilities: 10% of the total number of parking spaces provided serving each such outpatient unit or facility shall be designated as accessible spaces;
- B) Units and facilities that specialize in treatment or services for persons with mobility impairments: 20% of the total number of parking spaces provided serving each such unit or facility shall be designated as accessible spaces. (ADAAG 4.1.2(5)(d)(i) and (ii))
- 7) Signage. Accessible parking spaces shall be designated as reserved for environmentally limited persons by providing a R7-8 (U.S. Department of Transportation standard) sign which contains the international symbol of accessibility (see Illustrations C and D). Such signs shall exhibit the words "\$100 Fines" (or higher amount if required by local ordinance). (See Illinois Vehicle Code [625 ILCS 5/11-301 and 301.1].) Signs shall be vertically mounted on a post or wall at front center of the parking space, no more than 5 feet horizontally from the front of the parking space and set a minimum of 4 feet from finished grade to the bottom of the sign. Such signs shall be located so they cannot be obscured by a vehicle parked in the space. (ADAAG

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- 4.6.4)
- d) Curb Ramps
- 1) Location. Curb ramps shall be provided wherever an accessible route crosses a curb (ADAAG 4.7.1) and shall comply with the following:
 - 2) Slope. Slopes of curb ramps shall comply with subsection (e)(2) of this Section. The slope shall be measured as shown in Illustration B, Fig. 11. Transitions from ramps to walks, gutters, or streets shall be flush and free of abrupt changes. Maximum slopes of adjoining gutters, road surface immediately adjacent to the curb ramp, or accessible route shall not exceed 1:20. (ADAAG 4.7.2)
 - 3) Width. The minimum width of a curb ramp shall be 36 in. (915 mm), exclusive of flared sides. (ADAAG 4.7.3)
 - 4) Surface. Surfaces of curb ramps shall comply with subsections (a)(5), (7), (11) and (12) of this Section. (ADAAG 4.7.4)
 - 5) Sides of Curb Ramps. If a curb ramp is located where pedestrians must walk across the ramp, or where it is not protected by handrails or guardrails, it shall have flared sides; the maximum slope of the flare shall be 1:10 (see Fig. 12(a)). Curb ramps with returned curbs may be used where pedestrians would not normally walk across the ramp (see Illustration B, Fig. 12(b)). (ADAAG 4.7.5)
 - 6) Built-up Curb Ramps. Built-up curb ramps shall be located so that they do not project into vehicular traffic lanes (see Illustration B, Fig. 13). (ADAAG 4.7.6)
 - 7) Detectable Warnings. A curb ramp shall have a detectable warning feature extending the full width and depth of the curb ramp, including any flares. (ADAAG 4.7.7) Such detectable warning features shall consist of exposed aggregate concrete or parallel or diamond mesh pattern grooves, cushioned surfaces made of rubber or plastic, or raised strips (see Illustration B, Fig. 40). Textures shall contrast with that of the surrounding surface. Textured surfaces for detectable warnings shall be standard within a site.
 - 8) Obstructions. Curb ramps shall be located or protected to prevent their obstruction by parked vehicles. (ADAAG 4.7.8)
 - 9) Location at Marked Crossings. Curb ramps at marked crossings shall be wholly contained within the markings, excluding any flared sides (see Illustration B, Fig. 15). (ADAAG 4.7.9)
 - 10) Diagonal Curb Ramps. If diagonal (or corner-type) curb ramps have returned curbs or other well-defined edges, such edges shall be parallel to the direction of pedestrian flow. The bottom of diagonal curb ramps shall have 48 in. (1220 mm) minimum clear space as shown in Illustration B, Fig. 15(c) and (d). If diagonal curb ramps are provided at marked crossings, the 48 in. (1220 mm) clear space shall be within the markings (see Illustration B, Fig. 15(c) and (d)). If diagonal curb ramps have

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- flared sides, they shall also have at least a 24 in. (610 mm) long segment of straight curb located on each side of the curb ramp and within the marked crossing (see Illustration B, Fig. 15(c)). (ADAAG 4.7.10)
- 11) Islands. Any raised islands in crossings shall be cut through level with the street or having curb ramps at both sides and a level area at least 48 in. (1220 mm) long between the curb ramps in the part of the island intersected by the crossings (see Illustration B, Fig. 15(a) and (b)). (ADAAG 4.7.11)
- e) Ramps
- 1) General. Any part of an accessible route with a slope greater than 1:20 shall be considered a ramp and shall comply with the following requirements unless another means of accessible vertical access (e.g., accessible elevator or accessible platform lift) is provided. (ADAAG 4.8.1)
 - 2) Slope and Rise. The least possible slope shall be used for any ramp. The maximum slope of a ramp in new construction shall be 1:12. The maximum rise for any run shall be 30 in. (760 mm) (see Illustration B, Fig. 16). Curb ramps and interior or exterior ramps to be constructed on existing sites or in existing buildings or facilities where space limitations prohibit the use of a 1:12 slope or less may have slopes and rises as follows: (ADAAG 4.8.2)
 - A) A slope between 1:10 and 1:12 is allowed for a maximum rise of 6 in.
 - B) A slope between 1:8 and 1:10 is allowed for a maximum rise of 3 in. A slope steeper than 1:8 is not allowed. (ADAAG 4.1.6(3)(a))
 - 3) Clear Width. The minimum clear width of a ramp shall be 36 in. (915 mm). (ADAAG 4.8.3)
 - 4) Landings. Ramps shall have level landings at bottom and top of each ramp and each ramp run. Landings shall have the following features:
 - A) The landing shall be at least as wide as the ramp run leading to it.
 - B) The landing length shall be a minimum of 60 in. (1525 mm) clear.
 - C) If ramps change direction at landings, the minimum landing size shall be 60 in. by 60 in. (1525 mm by 1525 mm).
 - D) If a doorway is located at a landing, then the area in front of the doorway shall comply with subsection (j)(5) of this Section. (ADAAG 4.8.4)
 - 5) Handrails. If a ramp run has a rise greater than 6 in. (150 mm) or a horizontal projection greater than 72 in. (1830 mm), then it shall have handrails on both sides. Handrails are not required on curb ramps or adjacent to seating in assembly areas. Handrails shall comply with subsection (p) of this Section and shall have the following features:

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- A) Handrails shall be provided along both sides of ramp segments. The inside handrail on switchback or dogleg ramps shall always be continuous.
- B) If handrails are not continuous, they shall extend at least 12 in. (305 mm) beyond the top and bottom of the ramp segment and shall be parallel with the floor or ground surface (see Illustration B, Fig. 17).
- C) The clear space between the handrail and the wall shall be 1-1/2 in. (38 mm).
- D) Gripping surfaces shall be continuous.
- E) Top of handrail gripping surfaces shall be mounted between 34 in. and 38 in. (865 mm and 965 mm) above ramp surfaces.
- F) Ends of handrails shall be either rounded or returned smoothly to floor, wall, or post.
- G) Handrails shall not rotate within their fittings. (ADAAG 4.8.5)
- 6) Cross Slope and Surfaces. The cross slope of ramp surfaces shall be no greater than 1:50. Ramp surfaces shall comply with subsections (a)(5), (7), (11) and (12) of this Section. (ADAAG 4.8.6)
- 7) Edge Protection. Ramps and landings with drop-offs shall have curbs, walls, railings, or projecting surfaces that prevent people from slipping off the ramp. Curbs shall be a minimum of 2 in. (50 mm) high (see Illustration B, Fig. 17). (ADAAG 4.8.7)
- 8) Outdoor Conditions. Outdoor ramps and their approaches shall be designed so that water will not accumulate on walking surfaces. (ADAAG 4.8.8)
- 9) Exceptions. The following areas do not have to be served by accessible ramps provided that such areas comply with Section 400.320(a)(1), and further provided that the same functions and services are available on an accessible level of the space: temporary raised platforms; seating tiers; theater rows; stadium rows; and auditorium rows utilizing fixed seating. Ramps do not have to be provided to all levels of a multi-level platform. For requirements for restaurants and cafeterias, see Section 400.320(1).
- f) Stairs

- 1) General. Interior and exterior stairs connecting floors and/or levels that are not connected by an elevator, platform lift or ramp, which are required as a means of egress by the applicable building code, or which are part of an accessible route, shall comply with the following requirements. (ADAAG 4.1.3(4))
- 2) Treads and Risers. On any given flight of stairs, all steps shall have uniform riser heights and uniform tread widths. Risers shall be a maximum of 7 in. (180 mm) in height. Stair treads shall be no less than 11 in. (280 mm) wide, measured from riser to riser (see Illustration B, Fig. 18(a)). Open risers are not permitted. (ADAAG 4.9.2)

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- 3) Nosings. The undersides of nosings shall not be abrupt. The radius of curvature at the leading edge of the tread shall be no greater than 1/2 in. (13 mm). Risers shall be sloped or the underside of the nosing shall have an angle not less than 60 degrees from the horizontal. Nosings shall project no more than 1-1/2 in. (38 mm) (see Illustration B, Fig. 18). (ADAAG 4.9.3)
- 4) Handrails. Stairways shall have handrails at both sides of all stairs. Handrails shall comply with subsection (g) of this Section and shall have the following features:
- A) Handrails shall be continuous along both sides of stairs. The inside handrail on switchback or dogleg stairs shall always be continuous (see Illustration B, Fig. 19(a) and (b)).
- B) If handrails are not continuous, they shall extend at least 12 in. (305 mm) beyond the top riser and at least 12 in. (305 mm) plus the width of one tread beyond the bottom riser. At the top, the extension shall be parallel with the floor or ground surface. At the bottom, the handrail shall continue to slope for a distance of the width of one tread from the bottom riser; the remainder of the extension shall be horizontal (see Illustration B, Fig. 19(c) and (d)). Handrail extensions shall comply with subsection (a)(10) of this Section.
- C) The clear space between handrails and wall shall be 1-1/2 in. (38 mm).
- D) Gripping surfaces shall be uninterrupted by newel posts, other construction elements, or obstructions.
- E) Top of handrail gripping surface shall be mounted between 34 in. and 38 in. (865 mm and 965 mm) above stair nosings.
- F) Ends of handrails shall be either rounded or returned smoothly to floor, wall or post.
- G) Handrails shall not rotate within their fittings. (ADAAG 4.9.4)
- 5) Detectable Warnings at Stairs. See subsection (t)(3) of this Section.
- 6) Outdoor Conditions. Outdoor stairs and their approaches shall be designed so that water will not accumulate on walking surfaces. (ADAAG 4.9.6)
- g) Elevators
- 1) General. All passenger elevators provided in a building or facility shall be accessible as provided below, shall serve all levels of a building or facility, shall be on an accessible route and shall comply with the ASME A17.1-1996, Safety Code for Elevators and Escalators, unless exempted at subsection (g)(16) of this Section. Freight elevators shall not be considered as meeting requirements of this Section unless the only elevators provided are used as combination passenger and freight elevators for the public and employees. (ADAAG 4.10.1)

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- 2) Automatic Operation. Elevator operation shall be automatic. Each car shall be equipped with a self-leveling feature that will automatically bring the car to floor landings within a tolerance of 1/2 in. (13 mm) under rated loading to zero loading conditions. This self-leveling feature shall be automatic and independent of the operating device and shall correct the overtravel or undertravel. (ADAAG 4.10.2)
- 3) Hall Call Buttons. Call buttons in elevator lobbies and halls shall be centered at 42 in. (1065 mm) above the floor. Such call buttons shall have visual signals to indicate when each call is registered and when each call is answered. Call buttons shall be a minimum of 3/4 in. (19 mm) in the smallest dimension. The button designating the up direction shall be on top (see Illustration B, Fig. 20). Buttons shall be raised or flush. Objects mounted beneath hall call buttons shall not project into the elevator lobby more than 4 in. (100 mm). (ADAAG 4.10.3)
- 4) Hall Lanterns. A visible and audible signal shall be provided at each hoistway entrance to indicate which car is answering a call. Audible signals shall sound once for the up direction and twice for the down direction or shall have verbal annunciators that say "up" or "down". Visible signals shall have the following features:
 - A) Hall lantern fixtures shall be mounted so that their centerline is at least 72 in. (1830 mm) above the lobby floor (see Illustration B, Fig. 20).
 - B) Visual elements shall be at least 2-l/2 in. (64 mm) in the smallest dimension.
 - C) Signals shall be visible from the vicinity of the hall call button (see Illustration B, Fig. 20). In-car lanterns located in cars, visible from the vicinity of hall call buttons, and conforming to the above requirements, shall be acceptable. (ADAAG 4.10.4)
- 5) Raised and Braille Characters on Hoistway Entrances. All elevator hoistway entrances shall have raised and Braille floor designations provided on both jambs. The centerline of the characters shall be 60 in. (1525 mm) above finish floor. Such characters shall be 2 in. (50 mm) high and shall comply with subsection (u)(3) of this Section. Permanently applied plates are acceptable if they are permanently fixed to the jambs (see Illustration B, Fig. 20). (ADAAG 4.10.5)
- 6) Door Protective and Reopening Device. Elevator doors shall open and close automatically. They shall be provided with a reopening device that will stop and reopen a car door and hoistway door automatically if the door becomes obstructed by an object or person. The device shall be capable of completing these operations without requiring contact for an obstruction passing through the opening at heights of 5 in. and 29 in. (125 mm and 735 mm) above finish floor (see Illustration B, Fig. 20). Door

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- reopening devices shall remain effective for at least 20 seconds. After such an interval, doors may close in accordance with the requirements of ASME A17.1-1996. (ADAAG 4.10.6)
- 7) Door and Signal Timing for Hall Calls. The minimum acceptable time from notification that a car is answering a call until the doors of that car start to close shall be calculated from the following equation: $T=D/(1.5 \text{ ft/s})$ or $T=D/(445 \text{ mm/s})$ where T is total time in seconds and D is distance (in feet or millimeters) from a point in the lobby or corridor 60 in. (1525 mm) directly in front of the farthest call button controlling that car to the centerline of its hoistway door (see Illustration B, Fig. 21). For cars with in-car lanterns, T begins when the lantern is visible from the vicinity of hall call buttons and an audible signal is sounded. The minimum acceptable notification time shall be 5 seconds. (ADAAG 4.10.7)
 - 8) Door Delay for Car Calls. The minimum time for elevator doors to remain fully open in response to a car call shall be 3 seconds. (ADAAG 4.10.8)
 - 9) Floor Plan of Elevator Cars. The floor area of elevator cars shall provide space for wheelchair users to enter the car, maneuver within reach of controls, and exit from the car. Acceptable door opening and inside dimensions shall be as shown in Illustration B, Fig. 22. The clearance between the car platform sill and the edge of any hoistway landing shall be no greater than 1-1/4 in. (32 mm). (ADAAG 4.10.9)
 - 10) Floor Surfaces. Floor surfaces shall comply with subsections (a)(5), (7), (11) and (12) of this Section. (ADAAG 4.10.10)
 - 11) Illumination Levels. The level of illumination at the car controls, platform, and car threshold and landing sill shall be at least 5 footcandles (53.8 lux). (ADAAG 4.10.11)
 - 12) Car Controls. Elevator control panels shall have the following features:
 - A) Buttons. All control buttons shall be at least 3/4 in. (19 mm) in their smallest dimension. They shall be raised or flush.
 - B) Tactile, Braille and Visual Control Indicators. All control buttons shall be designated by Braille and by raised standard alphabet characters for letters, arabic characters for numerals, or standard symbols as shown in Illustration B, Fig. 23(a), and as required in ASME A17.1-1996. Raised and Braille characters and symbols shall comply with subsection (u)(3) of this Section. The call button for the main entry floor shall be designated by a raised star at the left of the floor designation (see Illustration B, Fig. 23(a)). All raised designations for control buttons shall be placed immediately to the left of the button to which they apply. Applied plates, permanently attached, are an acceptable means to provide raised control designations.

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Floor buttons shall be provided with visual indicators to show when each call is registered. The visual indicators shall be extinguished when each call is answered.

- C) Height. All floor buttons shall be no higher than 54 in. (1370 mm) above the finish floor for side approach and 48 in. (1220 mm) for front approach. Emergency controls, including the emergency alarm and emergency stop, shall be grouped at the bottom of the panel and shall have their centerlines no less than 35 in. (890 mm) above the finish floor (see Illustration B, Fig. 23(a) and (b)).

- D) Location. Controls shall be located on a front wall if cars have center opening doors, and at the side wall or at the front wall next to the door if cars have side opening doors (see Illustration B, Fig. 23(c) and (d)). (ADAAG 4.10.12)

- 13) Car Position Indicators. In elevator cars, a visual car position indicator shall be provided above the car control panel or over the door to show the position of the elevator in the hoistway. As the car passes or stops at a floor served by the elevators, the corresponding numerals shall illuminate and an audible signal shall sound. Numerals shall be a minimum of 1/2 in. (13 mm) high. The audible signal shall be no less than 20 decibels with a frequency no higher than 1500 Hz. An automatic verbal announcement of the floor number at which a car stops or which a car passes may be substituted for the audible signal. (ADAAG 4.10.13)

- 14) Emergency Communications. If provided, emergency two-way communication systems between the elevator and a point outside the hoistway shall comply with ASME A17.1-1996. The highest operable part of a two-way communication system shall be a maximum of 48 in. (1220 mm) from the floor of the car. It shall be identified by a raised symbol and lettering complying with subsection (u) of this Section and located adjacent to the device. If the system uses a handset then the length of the cord from the panel to the handset shall be at least 29 in. (735 mm). If the system is located in a closed compartment the compartment door hardware shall conform to subsection (r) of this Section. The emergency inter-communication system shall not require voice communications. (ADAAG 4.10.14)

- 15) Handrails. Handrails in compliance with subsection (g) of this Section shall be provided on the side walls (and preferably both the side and rear walls) of all accessible passenger elevator cabs, mounted at a height of between 32 in. (815 mm) and 36 in. (915 mm) above the floor of the cab. A bar section 1-1/4 in. (32 mm) to 1-1/2 in. (38 mm) in depth, minimum 3/8 in. (9.6 mm) thickness, with 1/8 in. (3.2 mm) radius edges is also acceptable.

- 16) Exemptions. The following areas do not have to be served by accessible passenger elevators:

- A) The basement or second floor or mezzanine space of privately

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owned public facilities, subject to all of the following:

- i) The basement functional space, second story space, or mezzanine space are each limited to 1000 net square feet or less. See definition of "functional space" (Section 400.320(b)(52)).

- ii) The exempt area must consist of the following type of space:

the second story of a two-story building without a basement; or

the mezzanine of a one-story building without a basement; or

the second story of a two-story building with a basement with less than 50% functional space; or

the mezzanine of a one-story building with a basement with less than 50% functional space; or

a basement with 50% or more functional space in a one-story building.

- iii) For mezzanines, see also Section 400.320(1)(4) of this Part.

- iv) The exemption does not apply to areas of visitor usage or to common employee usage such as locker areas, toilet facilities or lunchrooms if these facilities are the only ones in the building.

- v) The exemption also does not apply to a shopping center, shopping mall, or the professional office of a health care provider. (ADAAG 4.1.3(5))

B) Temporary raised platforms; seating tiers; theater rows; stadium rows; and auditorium rows utilizing fixed seating, provided that they comply with Section 400.320(a)(1), and further provided that the same functions and services are available on an accessible level of the space. Elevators do not have to be provided to all levels of a multi-level platform.

C) Areas served by ramps which conform to subsection (e) of this Section.

D) Areas permitted to be served by platform lifts pursuant to and in conformance with subsection (h) of this Section.

The elevator exemption in subsections (g)(16)(A) through (D) above does not obviate or limit in any way the obligation to comply with the other accessibility requirements established in this Section.

- 17) Elevator in Exempt Facility. If a facility is eligible for the elevator exemption but a full passenger elevator is nonetheless

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be provided adjacent to the turnstile or revolving door and shall be so designed as to facilitate the same use pattern. (ADAAG 4.13.2)

2) Gates, including ticket gates, shall meet all applicable specifications of this subsection (j). (ADAAG 4.13.3)

3) Double-leaf Doorways. If doorways have two independently operated door leaves, then at least one leaf shall meet the specifications in subsections (j)(4) and (5). That leaf shall be an active leaf. (ADAAG 4.13.4)

4) Clear Width. Doorways shall have a minimum clear opening of 32 in. (815 mm) with the door open 90 degrees, measured between the face of the door and the opposite stop (see Illustration B, Fig. 24(a), (b), (c), and (d)). Openings more than 24 in. (610 mm) in depth shall comply with Section 400.220(a) and subsection (a)(2) of this Section (see Illustration B, Fig. 24(e)).

EXCEPTION: Doors not requiring full user passage, such as shallow closets, may have the clear opening reduced to 20 in. (510 mm) minimum. (ADAAG 4.13.5)

5) Maneuvering Clearances at Doors. Minimum maneuvering clearances at doors that are not automatic or power-assisted shall be as shown in Illustration B, Fig. 25. The floor or ground area within the required clearances shall be level and clear.

EXCEPTIONS: Entry doors to acute care hospital bedrooms for in-patients shall be exempted from the requirement for space at the latch side of the door (see dimension "x" in Illustration B, Fig. 25) if the door is at least 44 in. (1120 mm) wide. (ADAAG 4.13.6)

6) Two Doors in Series. The minimum space between two hinged or pivoted doors in series shall be 48 in. (1220 mm) plus the width of any door swinging into the space. Doors in series shall swing either in the same direction or away from the space between the doors (see Illustration B, Fig. 26). (ADAAG 4.13.7)

7) Thresholds at Doorways. Thresholds at doorways shall not exceed 3/4 in. (19 mm) in height for exterior sliding doors or 1/2 in. (13 mm) for other types of doors. Raised thresholds and floor level changes at accessible doorways shall be beveled with a slope no greater than 1:2 (see subsection (a)(7) of this Section). (ADAAG 4.13.8)

8) Door Hardware. Handles, pulls, latches, locks, and other operating devices on accessible doors shall have a shape that is easy to grasp with one hand and does not require tight grasping, tight pinching, or twisting of the wrist to operate. Lever-operated mechanisms, push-type mechanisms, and U-shaped handles are acceptable designs. When sliding doors are fully open, operating hardware shall be exposed and usable from both sides. Hardware required for accessible door passage shall be mounted no higher than 48 in. (1220 mm) above finished floor. (ADAAG 4.13.9)

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- planned, that elevator shall meet the requirements of this Section and shall serve each level in the building. (ADAAG 4.1.3(5), Exception 1)
- h) Platform Lifts (Wheelchair Lifts)
- 1) Conditions for Use. Platform lifts may only be used in lieu of conforming accessible ramps or elevators under the following conditions:
- A) To provide an accessible route to a performing area in an assembly occupancy.
- B) To comply with the wheelchair viewing position line-of-sight and dispersion requirements of Section 400.320(a)(3).
- C) To provide access to incidental occupiable spaces and rooms which are not open to the general public and which house no more than five persons, including but not limited to equipment control rooms and projection booths.
- D) To provide access where existing site or physical constraints make use of a ramp or an elevator infeasible. (Excerpt from ADAAG 4.1.3(5)-Exception 4)
- E) To provide access to the second story or the mezzanine of a two-story building, or to the basement or mezzanine space of a one-story building, where each story is more than 1000 square feet and less than 3000 square feet, and is not a shopping center, shopping mall or the professional office of a health care provider. If permitted under this Section, the lift must comply with ASME A17.1-1996, Part XXV.
- 2) General. If a platform lift is permitted, it shall facilitate unassisted entry, operation, and exit from the lift and shall comply with the following requirements:
- A) Clear floor or ground space for wheelchairs shall comply with Section 400.220(d). Wheelchair lift platform shall be a minimum of 30 in. (760 mm) wide by 48 in. (1220 mm) long, clear. Maximum inside net platform area shall not exceed 18 square feet.
- B) Ground and floor surfaces shall comply with subsections (a)(5), (7), (11) and (12) of this Section.
- C) Controls and operating mechanisms shall comply with subsection (r) of this Section.
- D) ASME A17.1-1996 Safety Code for Elevators and Escalators, Part XX, except Rule 2001.10a Key Operation. (ADAAG 4.11.3; 4.11.2; 4.2.4, 4.5, 4.27), unless otherwise indicated in subsection (h)(1)(E).
- i) Windows (Reserved). (ADAAG 4.12)
- j) Doors
- All doors to accessible spaces (as defined in Section 400.210) shall comply with the following requirements:
- 1) Revolving Doors and Turnstiles. Revolving doors or turnstiles shall not be the only means of passage at an accessible entrance or along an accessible route. An accessible gate or door shall

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- 9) Door Closers. If a door has a closer, then the sweep period of the closer shall be adjusted so that from an open position of 70 degrees, the door will take at least 3 seconds to move to a point 3 in. (75 mm) from the latch, measured to the leading edge of the door. (ADAAG 4.13.10)
- 10) Door Opening Force. The maximum force for pushing or pulling open a door shall be as follows:
- Fire doors shall have the minimum opening force allowable by the appropriate administrative authority.
 - Other doors:
 - exterior hinged doors: 8.5 lbf (37.8N);
 - interior hinged doors: 5 lbf (22.2N);
 - sliding or folding doors: 5 lbf (22.2N).

These forces do not apply to the force required to retract latch bolts or disengage other devices that may hold the door in a closed position. (ADAAG 4.13.11)

- 11) Automatic Doors and Power-Assisted Doors. If an automatic door is used, then it shall comply with ANSI/BHMA A156.10-1985. Slowly opening, low-powered, automatic doors shall comply with ANSI A156.19-1984. Such doors shall not open to back check faster than 3 seconds and shall require no more than 15 lbf (66.6N) to stop door movement. If a power-assisted door is used, its door-opening force shall comply with subsection (j)(10) of this Section and its closing shall conform to the requirements in ANSI A156.19-1984. (ADAAG 4.13.12)

k) Entrances

- 1) General. Entrances required to be accessible below shall be part of an accessible route complying with subsection (a) of this Section. Such entrances shall be connected by an accessible route to public transportation stops, to accessible parking and passenger loading zones, and to public streets or sidewalks if available (see subsection (a)(1)(A) of this Section). They shall also be connected by an accessible route to all accessible spaces or elements within the building or facility. (ADAAG 4.14.1) At a minimum, the requirements in subsections (k)(2) and (3) below shall be satisfied independently.
- 2) Number and Distribution

- At least 50% of all public entrances (excluding those in subsection (k)(3) below) must be accessible. At least one must be a ground floor entrance. Public entrances are any entrances that are not loading or service entrances.
- Accessible entrances must be provided in a number at least equivalent to the number of exits required by the applicable building/fire codes. (This paragraph does not require an increase in the total number of entrances planned for a facility.)
- An accessible entrance must be provided to each tenancy in a facility (for example, individual stores in a strip shopping

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center). One entrance may be considered as meeting more than one of the requirements in this subsection (k)(2). Where feasible, accessible entrances shall be the entrances used by the majority of people visiting or working in the building. (ADAAG 4.1.3(8)(a)(i)-(iii))

3) Other Entrances

- In addition, if direct access is provided for pedestrians from an enclosed parking garage to the building, at least one direct entrance from the garage to the building must be accessible.
- If access is provided for pedestrians from a pedestrian tunnel or elevated walkway, one entrance to the building from each tunnel or walkway must be accessible. One entrance may be considered as meeting more than one of the requirements in subsection (k)(2) of this Section. Because entrances also serve as emergency exits whose proximity to all parts of buildings and facilities is essential, it is preferable that all entrances be accessible.
- If the only entrance to a building, or tenancy in a facility, is a service entrance, that entrance shall be accessible.
- Entrances which are not accessible shall have directional signage which indicates the location of the nearest accessible entrance and meets the requirements of subsections (t)(2), (3), and (5) of this Section. (ADAAG 4.1.3(8)(b)-(d))

1) Drinking Fountains and Water Coolers

- General. All public drinking fountains and water coolers which are provided in a public facility shall be located along an accessible route.
- Single Fountain. Where only one drinking fountain is provided on a floor, there shall be a drinking fountain which is accessible to individuals who use wheelchairs in accordance with this Section and one accessible to those who have difficulty bending or stooping. (This can be accommodated by the use of a "hi-lo" fountain; by providing one fountain accessible to those who use wheelchairs and one fountain at a standard height convenient for those who have difficulty bending; by providing a fountain accessible under this Section and a water cooler; or by such other means as would achieve the required accessibility for each group on each floor.) (ADAAG 4.1.3(10)(a))
- Other Fountains. Where more than one drinking fountain or water cooler is provided on a floor, at least 50% of those provided shall comply with the following requirements. (ADAAG 4.1.10(b))
 - Spout Height. Spouts shall be no higher than 36 in. (915 mm), measured from the floor or ground surfaces to the spout outlet (see Illustration B, Fig. 27(a)). (ADAAG 4.15.2)
 - Spout Location. The spouts of drinking fountains and water

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coolers shall be at the front of the unit and shall direct the water flow in a trajectory that is parallel or nearly parallel to the front of the unit. The spout shall provide a flow of water at least 4 in. (100 mm) high so as to allow the insertion of a cup or glass under the flow of water. On an accessible drinking fountain with a round or oval bowl, the spout must be positioned so the flow of water is within 3 in. (75 mm) of the front edge of the fountain. (ADAAG 4.15.3)

C) Controls. Controls shall comply with Section 400.310(g)(4). Unit controls shall be front mounted or side mounted near the front edge. (ADAAG 4.15.4)

D) Clearances

- i) Wall- and post-mounted cantilevered units shall have a clear knee space between the bottom of the apron and the floor or ground at least 27 in. (685 mm) high, 30 in. (760 mm) wide, and 17 in. to 19 in. (430 mm to 485 mm) deep (see Illustration B, Fig. 27(a) and (b)). Such units shall also have a minimum clear floor space 30 in. by 48 in. (760 mm by 1220 mm) to allow a person in a wheelchair to approach the unit facing forward.
- ii) Free-standing or built-in units not having a clear space under them shall have a clear floor space at least 30 in. by 48 in. (760 mm by 1220 mm) that allow a person in a wheelchair to make a parallel approach to the unit (see Illustration B, Fig. 27(c) and (d)). This clear floor space shall comply with Section 400.220(d). (ADAAG 4.15.5)

m) Sinks

- 1) General. Sinks required to be accessible shall comply with the requirements of this subsection (m).
- 2) Height. Sinks shall be mounted with the counter or rim no higher than 34 in. (865 mm) above the finish floor. (ADAAG 4.24.2)
- 3) Knee Clearance. Knee clearance that is at least 27 in. (685 mm) high, 30 in. (760 mm) wide, and 19 in. (485 mm) deep shall be provided underneath sinks. (ADAAG 4.24.3)
- 4) Depth. Each sink shall be a maximum of 6-1/2 in. (165 mm) deep. (ADAAG 4.24.4)
- 5) Clear Floor Space. A clear floor space at least 30 in. by 48 in. (760 mm by 1220 mm) complying with ADAAG 4.2.4 shall be provided in front of a sink to allow forward approach. The clear floor space shall be on an accessible route and shall extend a maximum of 19 in. (485 mm) underneath the sink. (ADAAG 4.24.5)
EXCEPTION: A parallel approach shall be permitted to a kitchen sink in a space where a cook top or conventional range is not provided
- 6) Exposed Pipes and Surfaces. Hot water and drain pipes exposed under sinks shall be installed or otherwise configured so as to

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protect against contact. There shall be no sharp or abrasive surfaces under sinks. (ADAAG 4.24.6)

7) Faucets. Lever-operated, push-type, touch-type or electronically controlled mechanisms are acceptable designs. (ADAAG 4.24.7)

Controls and operating mechanisms shall be operable with one hand and shall not require tight grasping, pinching, or twisting of the wrist. The force required to activate controls shall be no greater than 5 lbf (22.2N). (ADAAG 4.24.4)

n) Toilet Rooms

- 1) General. Public toilet rooms, required by the Illinois Plumbing Code (77 Ill. Adm. Code 890) to have a "Minimum Number of Plumbing Fixtures" shall have accessible toilet rooms and related fixtures for each sex (excluding toilet rooms in apartments of residential occupancies) in compliance with the following requirements.
- 2) Accessible Route. Accessible toilet rooms shall be on an accessible route. (ADAAG 4.22.1) Design and location of plumbing fixtures shall provide the same conditions and privacy for all users.
- 3) Doors. All doors to accessible toilet rooms shall comply with subsection (j) of this Section. Doors shall not swing into the clear floor space required for any fixture. (ADAAG 4.22.2)
NOTE: The Illinois Accessibility Code allows, for single user toilet rooms only, doors to swing into the clear floor space required for any fixture if sufficient maneuvering space is provided within the room for a person using a wheelchair to enter and close the door, use the fixtures, reopen the door, and exit.
- 4) Clear Floor Space. The accessible fixtures and controls required in subsections (n)(5), (6), (7) and (8) of this Section shall be on an accessible route. An unobstructed turning space complying with Section 400.220(c) shall be provided within an accessible toilet room. The clear floor space at fixtures and controls, the accessible route, and the turning space may overlap. (ADAAG 4.22.3)
- 5) Water Closets. If toilet stalls are provided in a room, then at least one shall be a standard toilet stall complying with subsection (n)(5)(A) of this Section; where 6 or more stalls are provided, in addition to the stall complying with subsection (n)(5)(A)(ii) of this Section, at least one stall 36 in. (915 mm) wide with an outward swinging, self-closing door and parallel grab bars complying with Illustration B, Fig. 30(d) and subsection (q) of this Section shall be provided. Water closets in such stalls shall comply with subsection (n)(5)(B) of this Section. If water closets are not in stalls, then at least one shall comply with subsection (n)(5)(B) of this Section. (ADAAG 4.22.4)

A) Toilet Stalls

- i) Water Closets. Water closets in accessible stalls

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- shall comply with subsection (n)(5)(B) of this Section. (ADAAG 4.17.2)
- ii) Size and Arrangement. The size and arrangement of the standard toilet stall shall comply with Illustration B, Fig. 30(a), Standard Stall. Standard toilet stalls with a minimum depth of 56 in. (1420 mm) (see Illustration B, Fig. 30(a)) shall have wall-mounted water closets. If the depth of a standard toilet stall is increased at least 3 in. (75 mm), then a floor-mounted water closet may be used. Arrangements shown for standard toilet stalls may be reversed to allow either a left- or right-hand approach. Additional stalls shall be provided in conformance with subsection (n)(5) of this Section.
- EXCEPTION: In instances of alteration work where provision of a standard stall (Illustration B, Fig. 30(a)) is technically infeasible or where plumbing code requirements prevent combining existing stalls to provide space, either alternate stall (Illustration B, Fig. 30(b)) may be provided in lieu of the standard stall. (ADAAG 4.17.3)
- iii) Toe Clearances. In standard stalls, the front partition and at least one side partition shall provide a toe clearance of at least 9 in. (230 mm) above the floor. If the depth of the stall is greater than 60 in. (1525 mm), then the toe clearance is not required. (ADAAG 4.17.4)
- iv) Doors. Toilet stall doors, including door hardware, shall comply with subsection (j) of this Section. If toilet stall approach is from the latch side of the stall door, clearance between the door side of the stall and any obstruction may be reduced to a minimum of 42 in. (1065 mm) (Illustration B, Fig. 30). (ADAAG 4.17.5)
- v) Grab Bars. Grab bars complying with the length and positioning shown in Illustration B, Fig. 30(a), (b), (c) and (d) shall be provided. Grab bars may be mounted with any desired method as long as they have a gripping surface at the locations shown and do not obstruct the required clear floor area. Grab bars shall comply with subsection (q) of this Section. (ADAAG 4.17.6) Grab bars at back of flush valve water closets may be provided in two sections if high flushometer riser pipe is required by applicable building or plumbing code.

B) Water Closets

- i) Clear Floor Space. Clear floor space for water closets not in stalls shall comply with Illustration

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- B, Fig. 28. Clear floor space may be arranged to allow either a left-handed or right-handed approach. (ADAAG 4.16.2)
- ii) Height. The height of water closets shall be 17 in. to 19 in. (430 mm to 485 mm), measured to the top of the toilet seat (see Illustration B, Fig. 29(b)). Seats shall not be sprung to return to a lifted position. (ADAAG 4.16.3)
- iii) Grab Bars. Grab bars for water closets not located in stalls shall comply with subsection (q) of this Section and Illustration B, Fig. 29. The grab bar behind the water closet shall be 36 in. (915 mm) minimum. (ADAAG 4.16.4) Grab bars at back of flush valve water closets may be provided in two sections if high flushometer riser pipe is required by applicable building or plumbing code.
- iv) Flush Controls. Flush controls shall be hand operated or automatic and shall comply with subsection (r)(4) of this Section. Controls for flush valves shall be mounted on the wide side of toilet areas no more than 44 in. (1120 mm) above the floor. (ADAAG 4.16.5)
- v) Dispensers. Toilet paper dispensers shall be installed within reach, as shown in Illustration B, Fig. 29(b). Dispensers that control delivery, or that do not permit continuous paper flow, shall not be used. (ADAAG 4.16.6)
- 6) Urinals. If urinals are provided, then at least one shall comply with the following requirements:
- A) Height. Urinals shall be stall-type or wall-hung with an elongated rim at a maximum of 17 in. (430 mm) above the finish floor. (ADAAG 4.18.2)
- B) Clear Floor Space. A clear floor space 30 in. by 48 in. (760 mm by 1220 mm) shall be provided in front of urinals to allow forward approach. This clear space shall adjoin or overlap an accessible route and shall comply with Section 400.220(d). Urinal shields that do not extend beyond the front edge of the urinal rim may be provided with 29 in. (735 mm) clearance between them. (ADAAG 4.18.3)
- C) Flush Controls. Flush controls shall be hand operated or automatic, shall comply with subsection (r)(4) of this Section and shall be mounted no more than 44 in. (1120 mm) above the finish floor. (ADAAG 4.18.4)
- 7) Lavatories and Mirrors. If lavatories and mirrors are provided, then at least one of each shall comply with the following requirements:
- A) General. The requirements of this subsection shall apply to lavatory fixtures, vanities, and built-in lavatories. (ADAAG 4.19.1)

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- B) Height and Clearances. Lavatories shall be mounted with the rim or counter surface no higher than 34 in. (865 mm) above the finish floor. Provide a clearance of at least 29 in. (735 mm) above the finish floor to the bottom of the apron. Knee and toe clearance shall comply with Illustration B, Fig. 31. (ADAAG 4.19.2)
- C) Clear Floor Space. A clear floor space 30 in. by 48 in. (760 mm by 1220 mm) complying with Section 400.220(d) shall be provided in front of a lavatory to allow forward approach. Such clear floor space shall adjoin or overlap an accessible route and shall extend a maximum of 19 in. (485 mm) underneath the lavatory (see Illustration B, Fig. 32). (ADAAG 4.19.3).
- D) Exposed Pipes and Surfaces. Hot water and drain pipes under lavatories shall be insulated or otherwise configured to protect against contact. There shall be no sharp or abrasive surfaces under lavatories. (ADAAG 4.19.4)
- E) Faucets. Faucets shall comply with subsection (r)(4) of this Section. Lever-operated, push-type, and electronically controlled mechanisms are examples of acceptable designs. If self-closing valves are used the faucet shall remain open for at least 10 seconds. (ADAAG 4.19.5)
- F) Mirrors. Mirrors shall be mounted with the bottom edge of the reflecting surface no higher than 40 in. (1015 mm) above the finish floor (see Illustration B, Fig. 31). (ADAAG 4.19.6)
- 8) Controls and Dispensers. If controls, dispensers, receptacles, or other equipment are provided, then at least one of each shall be on an accessible route and shall comply with subsection (r) of this Section. (ADAAG 4.22.7)
- 9) Excess Toilet Rooms. When toilet rooms are provided in excess of the number required by the Illinois Plumbing Code, at least one fixture of each type (excluding urinals) in each restroom shall be accessible. If toilet stalls are provided, the "alternate stall," as depicted in Illustration B, Fig. 30(b), is acceptable.
- 10) Private Use Toilet Rooms. When toilet rooms are provided for the use of occupants of specific spaces (i.e., a private toilet room for the occupants of a private office) such spaces shall be adaptable. (ADAAG 4.1.3(11))
- 11) Small Toilet Rooms. If the required toilet room contains only one water closet and one lavatory, a toilet stall is not required; however the room itself shall comply with subsections (n)(3) through (8) of this Section and shall be on an accessible route.
- 12) Unisex Toilet Rooms. Unisex accessible toilet rooms are permitted in new buildings only in locations as provided in the Illinois Plumbing Code and where the toilet fixtures are provided in excess of the minimum number of fixtures required by that Code. All unisex facilities shall be accessible and shall meet

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all space and access requirements of subsection (n) of this Section. For treatment of unisex toilet rooms in alterations, see Section 400.510(e)(1)(A).

- 13) Signage. All public toilet rooms shall be appropriately identified with signage complying with subsection (u) of this Section and the international symbol of accessibility as shown in Illustration B, Fig. 43(a) and (b).

- 14) Water Temperature. The temperature of the hot water at the outlets for lavatories shall not exceed 110 degrees.

o) Bathrooms, Bathing Facilities and Shower Rooms

- 1) General. If bathrooms, bathing facilities or shower rooms are provided on a site, at least one for each sex shall be on an accessible route and shall comply with the requirements below. Bathrooms, bathing facilities and shower rooms provided in conjunction with individual accessible transient lodging units or dwelling units shall meet the accessibility requirements of Section 400.320(e) or (g) or Section 400.350.

- 2) Doors. Doors to accessible bathrooms shall comply with subsection (j) of this Section. Doors shall not swing into the floor space required for any fixture. (ADAAG 4.23.2)

- 3) Clear Floor Space. The accessible fixtures and controls required in subsections (o)(4) through (9) of this Section below shall be on an accessible route. An unobstructed turning space complying with Section 400.220(c) shall be provided within an accessible bathroom. The clear floor spaces at fixtures and controls, the accessible route, and the turning space may overlap. (ADAAG 4.23.3)

- 4) Water Closets. If toilet stalls are provided, then at least one shall be a standard toilet stall complying with subsection (n)(5)(A) of this Section; where 6 or more stalls are provided, in addition to the stall complying with subsection (n)(5)(A)(ii) of this Section, at least one stall 36 in. (915 mm) wide with an outward swinging, self-closing door and parallel grab bars complying with Illustration B, Fig. 30(d) and subsection (q) of this Section shall be provided. Water closets in such stalls shall comply with subsection (n)(5)(B) of this Section. If water closets are not in stalls, then at least one shall comply with subsection (n)(5)(B) of this Section. (ADAAG 4.23.4)

- 5) Urinals. If urinals are provided, then at least one shall comply with subsection (n)(6) of this Section. (ADAAG 4.23.5)

- 6) Lavatories and Mirrors. If lavatories and mirrors are provided, then at least one of each shall comply with subsection (n)(7) of this Section. (ADAAG 4.23.6)

- 7) Controls and Dispensers. If controls, dispensers, receptacles, or other equipment are provided, then at least one of each shall be on an accessible route and shall comply with subsection (r) of this Section. (ADAAG 4.23.7)

- 8) Bathing and Shower Facilities. If tubs or showers are provided,

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then at least one accessible tub that complies with subsection (n)(8)(A) of this Section or at least one accessible shower that complies with subsection (n)(8)(B) of this Section shall be provided. (ADAAG 4.23.8)

A) Bathtubs

- i) Floor Space. Clear floor space in front of bathtubs shall be as shown in Illustration B, Fig. 33. (ADAAG 4.20.2)
- ii) Seat. An in-tub seat or a seat at the head end of the tub shall be provided as shown in Illustration B, Fig. 33 and 34. The structural strength of seats and their attachments shall comply with subsection (q)(3) of this Section. Seats shall be mounted securely and shall not slip during use. (ADAAG 4.20.3)
- iii) Grab Bars. Grab bars complying with subsection (q) of this Section shall be provided as shown in Illustration B, Fig. 33 and 34. (ADAAG 4.20.4)
- iv) Controls. Faucets and other controls complying with subsection (r)(4) of this Section shall be located as shown in Illustration B, Fig. 34. (ADAAG 4.20.5)
- v) Shower Unit. A shower spray unit with a hose at least 60 in. (1525 mm) long that can be used both as a fixed shower head and as a hand-held shower shall be provided. (ADAAG 4.20.6)
- vi) Bathtub Enclosures. If provided, enclosures for bathtubs shall not obstruct controls or transfer from wheelchairs onto bathtub seats or into tubs. Enclosures on bathtubs shall not have tracks mounted on their rims. (ADAAG 4.20.7)

B) Shower Stalls

- i) Size and Clearances. Except as specified in Section 400.320(g)(2)(B), shower stall size and clear floor space shall comply with Illustration B, Fig. 35(a) or (b). The shower stall in Illustration B, Fig. 35(a) shall be 36 in. by 36 in. (915 mm by 915 mm) (nominal dimensions). Shower stalls required by Section 400.320(g)(2)(B) shall comply with Illustration B, Fig. 57(a) or (b). The shower stall in Illustration B, Fig. 35(b) will fit into the space required for a bathtub. (ADAAG 4.21.2)
- ii) Seat. A seat shall be provided in shower stalls 36 in. by 36 in. (915 mm by 915 mm) and shall be as shown in Illustration B, Fig. 36. The seat shall be mounted 17 in. to 19 in. (430 mm to 485 mm) from the bathroom floor and shall extend the full depth of the stall. In a 36 in. by 36 in. (915 mm by 915 mm) shower stall, the seat shall be on the wall opposite the controls. Where a fixed seat is provided in a 30 in. by 60 in.

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minimum (760 mm by 1525 mm) shower stall, it shall be a folding type and shall be mounted on the wall adjacent to the controls as shown in Illustration B, Fig. 57. The structural strength of seats and their attachments shall comply with subsection (q)(3) of this Section. (ADAAG 4.21.3)

- iii) Grab Bars. Grab bars complying with subsection (q) of this Section shall be provided as shown in Illustration B, Fig. 37. (ADAAG 4.21.4)
- iv) Controls. Faucets and other controls complying with subsection (r)(4) of this Section shall be located as shown in Illustration B, Fig. 37. In shower stalls 36 in. by 36 in. (915 mm by 915 mm), all controls, faucets, and the shower unit shall be mounted on the side wall opposite the seat. (ADAAG 4.21.5)
- v) Shower Unit. A shower spray unit with a hose at least 60 in. (1525 mm) long that can be used both as a fixed shower head and as a hand-held shower shall be provided.
EXCEPTION: In unmonitored facilities where vandalism is a consideration, a fixed shower head mounted at 48 in. (1220 mm) above the shower floor may be used in lieu of a hand-held shower head. (ADAAG 4.21.6)
- vi) Curbs. If provided, curbs in shower stalls 36 in. by 36 in. (915 mm by 915 mm) shall be no higher than 1/2 in. (13 mm). Shower stalls that are 30 in. by 60 in. (760 mm by 1525 mm) minimum shall not have curbs. (ADAAG 4.21.7)
- vii) Shower Enclosures. If provided, enclosures for shower stalls shall not obstruct controls or obstruct transfer from wheelchairs onto shower seats. (ADAAG 4.21.8)
- 9) Medicine Cabinets. If medicine cabinets are provided, at least one shall be located with a usable shelf no higher than 44 in. (1120 mm) above the floor space. The floor space shall comply with Section 400.220(d). (ADAAG 4.23.9)
- 10) Water Temperature. The temperature of the hot water at the outlets for lavatories, bathtubs, and showers shall not exceed 110 degrees.
- 11) Portable Toilets. For single user portable toilets clustered at a single location, at least 5%, but no fewer than one toilet unit complying with subsection (n) or (o) of this Section, shall be installed at each cluster whenever typical inaccessible units are provided. Accessible units shall be identified by the international symbol of accessibility. EXCEPTION: Portable toilet units at construction sites used exclusively by construction personnel are not required to comply with this Section.

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p) Storage

- 1) General. If fixed or built-in personal storage facilities such as cabinets, shelves, closets and drawers are provided in accessible spaces, at least 5% of each type or at least one of each type provided shall comply with the requirements below. Additional storage may be provided outside of these dimensions. (ADAAG 4.1.3(12)(a))
- 2) Clear Floor Space. A clear floor space at least 30 in. by 48 in. (760 mm by 1220 mm) complying with Section 400.220(d) that allows either a forward or parallel approach by a person using a wheelchair shall be provided at accessible storage facilities. (ADAAG 4.25.2)
- 3) Height. Accessible storage spaces shall be within at least one of the reach ranges specified in Section 400.220(e) and (f) (see Illustration B, Fig. 5 and Illustration B, Fig. 6). Clothes rods or shelves shall be a maximum of 54 in. (1370 mm) above the finish floor for a side approach. Where the distance from the wheelchair to the clothes rod or shelf exceeds 10 in. (255 mm) (as in closets without accessible doors) the height and depth to the rod or shelf shall comply with Illustration B, Fig. 38(a) and Illustration B, Fig. 38(b). (ADAAG 4.25.3)
- 4) Hardware. Hardware for accessible storage facilities shall comply with subsection (r)(4) of this Section. Touch latches and U-shaped pulls are acceptable. (ADAAG 4.25.4)
- 5) Exception. Archival storage areas are exempt from accessibility by this Code.
- 6) Business Use. Shelves or display units allowing self-service by customers in mercantile and business areas shall be located on an accessible route complying with subsection (a) of this Section. Requirements for accessible reach range do not apply. (ADAAG 4.1.3(12)(B))
- q) Handrails, Grab Bars, and Tub and Shower Seats
 - 1) General. All handrails, grab bars, and tub and shower seats required to be accessible shall comply with the requirements of this subsection (q). (ADAAG 4.26.1)
 - 2) Size and Spacing of Grab Bars and Handrails. The diameter or width of the gripping surfaces of a handrail or grab bar shall be 1-1/4 in. to 1-1/2 in. (32 mm to 38 mm), or the shape shall provide an equivalent gripping surface. If handrails or grab bars are mounted adjacent to a wall, the space between the wall and the grab bar shall be 1-1/2 in. (38 mm) (see Illustration B, Fig. 39(a), (b), (c), and (e)). Handrails may be located in a recess if the recess is a maximum of 3 in. (75 mm) deep and extends at least 18 in. (455 mm) above the top of the rail (see Illustration B, Fig. 39(d)). (ADAAG 4.26.2)
 - 3) Structural Strength. The structural strength of grab bars, tub and shower seats, fasteners, and mounting devices shall meet the following specifications:
 - r) Controls and Operating Mechanisms
 - 1) General. Where controls and operating mechanisms are provided in accessible spaces, along accessible routes or as parts of accessible elements (for example, light switches and dispenser controls), operable parts and controls shall comply with the requirements of this subsection (r). (ADAAG 4.1.3(13))
 - 2) Clear Floor Space. Clear floor space complying with Section 400.220(d) that allows a forward or a parallel approach by a person using a wheelchair shall be provided at controls, dispensers, receptacles, and other operable equipment. (ADAAG 4.27.2)
 - 3) Height. The highest operable part of controls, dispensers, receptacles, and other operable equipment shall be placed within at least one of the reach ranges specified in Section 400.220(e) and (f). Electrical and communications system receptacles on walls shall be mounted no less than 15 in. (380 mm) above the floor.

EXCEPTION: These requirements do not apply where the use of special equipment dictates otherwise or where electrical and communications systems receptacles are not normally intended for

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- A) Bending stress in a grab bar or seat induced by the maximum bending moment from the application of 250 lbf (1112N) shall be less than the allowable stress for the material of the grab bar or seat.
- B) Shear stress induced in a grab bar or seat by the application of 250 lbf (1112N) shall be less than the allowable shear stress for the material of the grab bar or seat. If the connection between the grab bar or seat and its mounting bracket or other support is considered to be fully restrained, then direct and torsional shear stresses shall be totaled for the combined shear stress, which shall not exceed the allowable shear stress.
- C) Shear force induced in a fastener or mounting device from the application of 250 lbf (1112N) shall be less than the allowable lateral load of either the fastener or mounting device or the supporting structure, whichever is the smaller allowable load.
- D) Tensile force induced in a fastener by a direct tension force of 250 lbf (1112N) plus the maximum moment from the application of 250 lbf (1112N) shall be less than the allowable withdrawal load between the fastener and the supporting structure.
- E) Grab bars shall not rotate within their fittings. (ADAAG 4.26.3)
- 4) Eliminating Hazards. A handrail or grab bar and any wall or other surface adjacent to it shall be free of any sharp or abrasive elements. Edges shall have a minimum radius of 1/8 in. (3.2 mm). (ADAAG 4.26.4)
- r) Controls and Operating Mechanisms
 - 1) General. Where controls and operating mechanisms are provided in accessible spaces, along accessible routes or as parts of accessible elements (for example, light switches and dispenser controls), operable parts and controls shall comply with the requirements of this subsection (r). (ADAAG 4.1.3(13))
 - 2) Clear Floor Space. Clear floor space complying with Section 400.220(d) that allows a forward or a parallel approach by a person using a wheelchair shall be provided at controls, dispensers, receptacles, and other operable equipment. (ADAAG 4.27.2)
 - 3) Height. The highest operable part of controls, dispensers, receptacles, and other operable equipment shall be placed within at least one of the reach ranges specified in Section 400.220(e) and (f). Electrical and communications system receptacles on walls shall be mounted no less than 15 in. (380 mm) above the floor.

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- use by building occupants. (ADAAG 4.27.3)
- 4) Operation. Controls and operating mechanisms shall be operable with one hand and shall not require tight grasping, pinching, or twisting of the wrist. The force required to activate controls shall be no greater than 5 lbf (22.2 N). (ADAAG 4.27.4)

s) Alarms

- 1) General. Where emergency warning systems or alarms are provided or required by an applicable State or local building code, life safety code or fire protection regulation, such systems shall comply with the requirements below and shall be both audible and visual. Visual alarms shall be arranged so the flashing light beam can be seen at the required level of intensity from all common use areas. At a minimum, visual signal appliances shall be provided in buildings and facilities in each of the following areas: restrooms and any other general usage areas (e.g., meeting rooms), hallways, lobbies, and any other area for common use. (ADAAG 4.28.1)

- 2) Audible Alarms. If provided, audible emergency alarms shall produce a sound that exceeds the prevailing equivalent sound level in the room or space by at least 15 dBA or exceeds any maximum sound level with a duration of 60 seconds by 5 dBA, whichever is louder. Sound levels for alarm signals shall not exceed 120 dBA. (ADAAG 4.28.2)

- 3) Visual Alarms. Visual alarm signal appliances shall be integrated into the building or facility alarm system. If single station audible alarms are provided then single station visual alarm signals shall be provided. Visual alarm signals shall comply with the requirements of U.S. Architectural and Transportation Barriers Compliance Board Bulletin #2: Visual Alarms.

- 4) Auxiliary Alarms. Units and sleeping accommodations shall have a visual alarm connected to the building emergency alarm system or shall have a standard 110-volt electrical receptacle into which such an alarm can be connected and a means by which a signal from the building emergency alarm system can trigger such an auxiliary alarm. When visual alarms are in place the signal shall be visible in all areas of the unit or room. Instructions for use of the auxiliary alarm or receptacle shall be provided. (ADAAG 4.28.4)

t) Detectable warnings

Detectable warnings shall be provided as follows:

- 1) Detectable Warnings on Walking Surfaces. Detectable warning features on walking surfaces shall consist of exposed aggregate concrete, cushioned surfaces made of rubber or plastic, raised strips, or grooves. Features shall contrast with that of the surrounding surface. Raised strips or grooves shall comply with Illustration B, Fig. 40.

- 2) Tactile Warnings on Doors to Hazardous Areas. Doors that lead to

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areas that might prove dangerous to a person who is visually impaired (for example, doors to loading platforms, boiler rooms, stages, etc.) shall be made identifiable to the touch by a textured surface on the door handle, knob, pull, or other operating hardware. This textured surface may be made by knurling or roughening or by a material applied to the contact surface. Such textured surfaces shall not be provided for emergency exit doors or any doors other than those to hazardous areas. See definition of "Hazardous Area".

- 3) Detectable Warnings at Stairs. All stairs, except those in dwelling units, in enclosed stair towers, or set to the side of the path of travel shall have a detectable warning at the top of stair runs (see Illustration B, Fig. 41).

- 4) Detectable Warnings at Hazardous Vehicular Areas. If a walk crosses or adjoins a vehicular way, and the walking surfaces are not separated by curbs, railings, or other elements between the pedestrian areas and vehicular areas, the boundary between the areas shall be defined by a continuous, detectable warning texture, which is 36 in. (915 mm) wide, complying with subsection (t)(1) of this Section. (ADAAG 4.29.5)

- 5) Detectable Warnings at Reflecting Pools. The edges of reflecting pools shall be protected by railings, walls, curbs, or detectable warnings complying with subsection (t)(1) of this Section. (ADAAG 4.29.6)

- 6) Standardization. Textured surfaces for detectable warnings shall be standard within a building, facility, site, or complex of buildings.

u) Signage

Accessible signage shall comply with the following applicable provisions:

- 1) Character Proportion. Letters and numbers on signs shall have a width-to-height ratio between 3:5 and 1:1 and a stroke-width-to-height ratio between 1:5 and 1:10. (ADAAG 4.30.2)

- 2) Character Height. Characters and numbers on signs shall be sized according to the viewing distance from which they are to be read. The minimum height is measured using an upper case X. When signs are suspended or projected overhead in compliance with subsection (a)(4) of this Section, minimum character height shall be 3 inches or 75mm.

- 3) Raised and Brailled Characters and Pictorial Symbol Signs (Pictograms). Letters and numerals shall be raised 1/32 in. (3.2 mm) upper case, sans serif or simple serif type and shall be accompanied with Grade 2 Braille. Raised characters shall be at least 5/8 in. (16 mm) high, but no higher than 2 in. (50 mm). Pictograms shall be accompanied by the equivalent verbal description placed directly below the pictogram. The border dimension of the pictogram shall be 6 in. (152 mm) minimum in

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- height. (ADAAG 4.30.4)
- 4) Finish and Contrast. The characters and background of signs shall be eggshell, matte, or other non-glare finish. Characters and symbols shall contrast with their background - either light characters on a dark background or dark characters on a light background. (ADAAG 4.30.5)
- 5) Mounting Location and Height. Where permanent identification is provided for rooms and spaces, signs shall be installed on the wall adjacent to the latch side of the door. Where there is no wall space to the latch side of the door, including at double leaf doors, signs shall be placed on the nearest adjacent wall. Mounting height shall be 60 in. (1525 mm) above the finish floor to the centerline of the sign. Mounting location for such signage shall be so that a person may approach within 3 in. (76 mm) of signage without encountering protruding objects or standing within the swing of a door. (ADAAG 4.30.6)
- 6) Symbols of Accessibility
- A) Facilities and elements required to be identified as accessible by this Code shall use the international symbol of accessibility. The symbol shall be displayed as shown in Illustration B, Fig. 43(a) and (b).
- B) Volume Control Telephones. Telephones required to have a volume control by subsection (v)(5) of this Section shall be identified by a sign containing a depiction of a telephone handset with radiating sound waves.
- C) Text Telephones. Text telephones required by subsection (v)(9) of this Section shall be identified by the international TDD symbol (Illustration B, Fig. 43(c)). In addition, if a facility has a public text telephone, directional signage indicating the location of the nearest text telephone shall be placed adjacent to all banks of telephones which do not contain a text telephone. Such directional signage shall include the international TDD symbol. If a facility has no banks of telephones, the directional signage shall be provided at the entrance (e.g., in a building directory).
- D) Assistive Listening Systems. In assembly areas where permanently installed assistive listening systems are required by Section 400.320(a)(6) the availability of such systems shall be identified with signage that includes the international symbol of access for hearing loss (Illustration B, Fig. 43(d)). (ADAAG 4.30.7)
- 7) Illumination Levels. (Reserved). (ADAAG 4.30.8)
- 8) Signage for Particular Elements or Spaces. Elements and spaces of accessible facilities which shall be identified by the international symbol of accessibility and which shall comply with subsection (u)(6)(A) of this Section are:
- A) Parking spaces designated as reserved for individuals with

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- disabilities (see subsection (c)(7) of this Section);
- B) Accessible passenger loading zones;
- C) Accessible entrances when not all are accessible (inaccessible entrances shall have directional signage to indicate the route to the nearest accessible entrance);
- D) Accessible toilet rooms, bathing facilities, and shower facilities when not all are accessible (inaccessible facilities shall have directional signage to indicate the route to the nearest accessible toilet room, bathing or shower facilities).
- 9) Directional or Informational Signage. Signs which provide direction to or information about functional spaces of the building shall comply with subsections (u)(1), (2) and (4) of this Section. (ADAAG 4.1.3(16)(b)) Where such signage conveys emergency information, it shall also have tactile characters or symbols.
- 10) Permanent Room Signage. Signs which designate permanent rooms and spaces shall comply with subsections (u)(3), (4) and (5) of this Section. (ADAAG 4.1.3(16)(a))
- 11) TDD Signage. Signs identifying "TDD Access" as required by subsection (u)(6) of this Section shall be provided. Signage shall comply with subsection (u)(6) of this Section but need not be tactile. Signage shall be mounted 54 in. (1370 mm) to 60 in. (1525 mm) above the floor.
- 12) Other Signage. Where other graphics or signage is provided, it shall comply with subsections (u)(1) through (6) of this Section, but need not have tactile characters or symbols. EXCEPTION: Building directories, menus and all other signs which are temporary are not required to comply. (ADAAG 4.1.3(16))
- v) Telephones
- 1) General. If public pay telephones, public closed-circuit telephones, or other public telephones are provided, then such telephones shall comply with the requirements of subsections (v)(2) through (8) of this Section to the extent required by the following table:
- | NUMBER OF EACH TYPE OF TELEPHONE PROVIDED ON EACH FLOOR | NUMBER OF TELEPHONES REQUIRED TO COMPLY WITH SECTION 400.310(v)(2) THROUGH (8)(1) |
|---|---|
| One or more single unit | One per floor |
| One bank(2) | One per floor |
| Two or more banks(2) | One per bank. Accessible unit may be installed as a single unit in proximity (either visual or with signage) to bank. At least one public telephone |

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per floor shall meet the requirements of a forward reach telephone.(3)

TABLE NOTES:

(1) Additional public telephones may be installed at any height. Unless otherwise specified, accessible telephones may be either forward or side reach telephones.

(2) A bank consists of two or more adjacent public telephones, often installed as a unit.

(3) EXCEPTION: For exterior installations only, if dial tone first service is available, then a side reach telephone may be installed instead of the required forward reach telephone (i.e., one telephone in proximity to each bank shall comply with subsection (v) of this Section). (ADAAG 4.1.3(17)(a))

2) Clear Floor or Ground Space. A clear floor or ground space at least 30 in. by 48 in. (760 mm by 1220 mm) that allows either a forward or parallel approach by a person using a wheelchair shall be provided at telephones (see Fig. 44). The clear floor or ground space shall comply with Section 400.220(d). Bases, enclosures, and fixed seats shall not impede approaches to telephones by people who use wheelchairs. (ADAAG 4.31.2)

3) Mounting Height. The highest operable part of the telephone shall be within the reach ranges specified in Section 400.220(e) or (f). (ADAAG 4.31.3)

4) Protruding Objects. Telephones shall comply with subsections (a)(4) and (10) of this Section. (ADAAG 4.31.4)

5) Hearing Aid Compatible and Volume Control Telephone Requirements

A) Telephones shall be hearing aid compatible.

B) All telephones required to be accessible shall be equipped with a volume control. Volume controls, capable of a minimum of 12 dbA and a maximum of 18 dbA above normal, shall be provided. If an automatic reset is provided then 18 dbA may be exceeded. In addition, 25%, but never less than one, of all other public telephones provided shall be equipped with a volume control and shall be disbursed among all types of public telephones, including closed-circuit telephones, throughout the building or facility. Volume control telephone signage complying with the applicable provisions of subsection (u)(6) of this Section shall be provided. (ADAAG 4.1.3(17)(b) and 4.31.5)

6) Controls. Telephones shall have pushbutton controls where service for such equipment is available. (ADAAG 4.31.6)

7) Telephone Books. Telephone books, if provided, shall be located in a position that complies with the reach ranges specified in Section 400.220(e) and (f). (ADAAG 4.31.7)

8) Cord Length. The cord from the telephone to the handset shall be at least 29 in. (735 mm) long. (ADAAG 4.31.8)

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9) Text Telephone Requirements. The following text telephones or other equipment shall be provided and each such location shall be identified with signage complying with the applicable provisions of subsection (u)(6) of this Section and Figure 43.

A) If a total number of four or more public pay telephones (including both interior and exterior telephones) is provided at a site, and at least one is in an interior location, then at least one interior public text telephone shall be provided.

B) If an interior public pay telephone is provided in a stadium or arena, in a convention center, in a hotel with a convention center or in a covered mall, at least one interior public text telephone shall be provided in the facility.

C) If a public pay telephone is located in or adjacent to a hospital emergency room, hospital recovery room, or hospital waiting room, one public text telephone shall be provided at each such location.

D) Where a bank of telephones in the interior of a building consists of three or more public pay telephones, at least one public pay telephone in each such bank shall be equipped with a shelf and outlet in compliance with subsection (v)(9)(F) of this Section.

E) Text telephones used with a pay telephone shall be permanently affixed within, or adjacent to, the telephone enclosure. If an acoustic coupler is used, the telephone cord shall be sufficiently long to allow connection of the text telephone and the telephone receiver.

F) Pay telephones designed to accommodate a portable text telephone shall be equipped with a shelf and an electrical outlet within or adjacent to the telephone enclosure. The telephone handset shall be capable of being placed flush on the surface of the shelf. The shelf shall be capable of accommodating a text telephone and shall have 6 in. (152 mm) minimum vertical clearance in the area where the text telephone is to be placed.

G) Equivalent facilitation may be provided. For example, a portable text telephone may be made available in a hotel at the registration desk if it is available on a 24-hour basis for use with nearby public pay telephones. In this instance, at least one pay telephone shall comply with subsection (v)(2) of this Section. In addition, if an acoustic coupler is used, the telephone handset cord shall be sufficiently long so as to allow connection of the text telephone and the telephone receiver. Directional signage shall be provided and shall comply with subsection (u)(6) of this Section. (ADAAG 4.1.3(17)(c))

w) Fixed or Built-in Seating, Tables and Work Surfaces

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401-500 9
501-1000 2 1/2 of total number
Over 1000 20 plus 1 for each 100 over 1000

- 1) General. If fixed or built-in seating or tables (including, but not limited to, study carrels and student laboratory stations), are provided in accessible public or common use areas, at least 5%, but not fewer than one, of the fixed or built-in seating areas or tables shall comply with this Section. An accessible route shall lead to and through such fixed or built-in seating areas or tables. (ADAAG 4.1.3(18))
- 2) Seating. If seating spaces for people in wheelchairs are provided at fixed tables or counters, clear floor space complying with Section 400.220(d) shall be provided. Such clear floor space shall not overlap knee space by more than 19 in. (485 mm) (see Illustration B, Fig. 45). (ADAAG 4.32.2)
- 3) Knee Clearances. If seating for people in wheelchairs is provided at tables or counters, knee spaces at least 27 in. (685 mm) high, 30 in. (760 mm) wide, and 19 in. (485 mm) deep shall be provided (see Illustration B, Fig. 45). (ADAAG 4.32.3)
- 4) Height of Tables or Counters. The tops of accessible tables and counters shall be from 28 in. to 34 in. (710 mm to 865 mm) above the finish floor or ground. (ADAAG 4.32.4)
- 5) Auxiliary Counters. Where service counters exceeding 34 in. (865 mm) in height are provided as standing counters, an auxiliary surface counter or other space suitable for the business transaction by an environmentally limited person shall be provided in the immediate vicinity and provide the same services. The auxiliary counter-top shall comply with this subsection (w).

Section 400.320 Additional Requirements for Specific Facility Types

All public facilities are subject to Section 400.310 inclusively and to the following additional requirements as appropriate to the facility type.

- a) Auditorium and Assembly Areas
 - 1) General
 - A) In places of assembly with fixed seating, accessible wheelchair locations shall comply with the requirements of subsections (a)(2) through (4) of this Section below, and shall be provided in the following minimum quantities: (ADAAG 4.1.3(19)(a))

NUMBER OF FIXED SEATS	NUMBER OF REQUIRED WHEELCHAIR SEATING LOCATIONS
1-25	1
26-50	2 together
51-100	4
101-150	5
151-200	6
201-300	7
301-400	8

- 2) Size of Wheelchair Locations. Each wheelchair location shall provide minimum clear ground or floor spaces as shown in Illustration B, Fig. 46. (ADAAG 4.33.2)
- 3) Placement of Wheelchair Locations. Wheelchair areas shall be an integral part of any fixed seating plan and shall be provided so as to provide people with physical disabilities a choice of admission prices and lines of sight comparable to those for members of the general public. They shall adjoin an accessible route that also serves as a means of egress in case of emergency. At least one companion fixed seat shall be provided next to each wheelchair seating area. Readily removable seats may be installed in wheelchair spaces when the spaces are not required to accommodate wheelchair users.
EXCEPTION: Accessible viewing positions may be clustered for bleachers, balconies, and other areas having sight lines that require slopes of greater than 5%. Equivalent accessible viewing positions may be located on levels having accessible egress. (Excerpt from ADAAG 4.33.3)
- 4) Surfaces. The ground or floor at wheelchair locations shall be level and shall comply with Section 400.310(a)(5), (7), (11) and (12). (ADAAG 4.33.4)
- 5) Access to Performing Areas. An accessible route shall connect wheelchair seating locations with performing areas, including stages, arena floors, dressing rooms, locker rooms, and other spaces used by performers. (ADAAG 4.33.5)
- 6) Listening Systems. Listening systems conforming with subsections (a)(7) and (8) of this Section are required. The minimum number of receivers to be provided shall be equal to 4% of the total number of seats, but in no case fewer than two. Signage complying with the applicable provisions of Section 400.310(u) and utilizing Illustration B, Fig. 43(d) (International Symbol of Access for Hearing Loss) shall be installed to notify patrons of the availability of a listening system. (ADAAG 4.1.3(19)(b))
- 7) Placement of Listening Systems. If the listening system provided

- Note: For seating 51 and over, arrange wheelchair locations in pairs insofar as possible.
- B) In addition, 1%, but not fewer than one, of all fixed seats shall be aisle seats with no armrests on the aisle side, or removable or folding armrests on the aisle side. Each such seat shall be identified by a sign or marker. Signage notifying patrons of the availability of such seats shall be posted at the ticket office. Aisle seats are not required to comply with subsection (a)(4) of this Section. (ADAAG 4.1.3(19)(a))

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serves individual fixed seats, then such seats shall be located within a 50 ft (15 m) viewing distance of the stage or playing area. (ADAAG 4.33.6)

- 8) Types of Listening Systems. Assistive listening systems (ALS) are intended to augment standard public address and audio systems by providing signals which can be received directly by persons with special receivers or their own hearing aids and which eliminate or filter background noise. The type of assistive listening system appropriate for a particular application depends on the characteristics of the setting, the nature of the program, and the intended audience. Magnetic induction loops, infra-red and radio frequency systems are types of listening systems which are appropriate for various applications. (ADAAG 4.33.7)

b) Automated Teller Machines (ATMs)

- 1) General. Where ATMs are provided, each ATM shall be on an accessible route and shall comply with the following requirements, except where two or more are provided at a location; then only one must comply. (ADAAG 4.1.3(20); 4.34.1)
- 2) Controls. Controls for user activation shall comply with the requirements of Section 400.310(r). (ADAAG 4.34.2)
- 3) Clearances and Reach Range. Free standing or built-in units not having a clear space under them shall comply with Section 400.310(r)(2) and (3) and provide for a parallel approach and both a forward and side reach to the unit allowing a person in a wheelchair to access the controls and dispensers. (ADAAG 4.34.3)
- 4) Equipment for Persons with Vision Impairments. Instructions and all information for use shall be made accessible to and independently usable by persons with vision impairments. (ADAAG 4.34.4)
- 5) EXCEPTION: Drive-up only ATMs are not required to comply with Section 400.310(r)(2) and (3) and subsection (b)(3) of this Section. (ADAAG 4.1.3(20))

c) Dressing and Fitting Rooms

- 1) General. Where dressing rooms and fitting rooms are provided for use by the general public, patients, customers or employees, 5%, but never fewer than one, of dressing rooms for each type of use in each cluster of dressing rooms shall be accessible, shall be on an accessible route, and shall comply with the requirements of subsections (c)(2) through (5), below. Examples of types of dressing rooms are those serving different genders or distinct and different functions as in different treatment or examination facilities. (ADAAG 4.1.3(21); 4.35.1)
- 2) Clear Floor Space. A clear floor space allowing a person using a wheelchair to make a 180 degree turn shall be provided in every accessible dressing room entered through a swinging or sliding door. No door shall swing into any part of the turning space. Turning space shall not be required in a private dressing room entered through a curtained opening at least 32 in. (815 mm) wide

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if clear floor space complying with Section 400.220 renders the dressing room usable by a person using a wheelchair. (ADAAG 4.35.2)

- 3) Doors. All doors to accessible dressing rooms shall be in compliance with Section 400.310(j). (ADAAG 4.35.3)
- 4) Bench. Every accessible dressing room shall have a 24 in. by 48 in. (610 mm by 1220 mm) bench fixed to the wall along the longer dimension. The bench shall be mounted 17 in. to 19 in. (430 mm to 485 mm) above the finish floor. Clear floor space shall be provided alongside the bench to allow a person using a wheelchair to make a parallel transfer onto the bench. The structural strength of the bench and attachments shall comply with Section 400.310(q)(3). Where installed in conjunction with showers, swimming pools, or other wet locations, water shall not accumulate upon the surface of the bench and the bench shall have a slip-resistant surface. (ADAAG 4.35.4)
- 5) Mirror. Where mirrors are provided in dressing rooms of the same use, then in an accessible dressing room, a full-length mirror, measuring at least 18 in. wide by 54 in. high (460 mm by 1370 mm) shall be mounted in a position affording a view to a person on the bench as well as to a person in a standing position. (ADAAG 4.35.5)

d) Medical Care Facilities

- 1) General. Medical care facilities included in this Section are outpatient facilities and those in which people receive physical or medical treatment or care and where persons may need assistance in responding to an emergency and where the period of stay may exceed 24 hours. In addition to the requirements of Section 400.310, medical care facilities and buildings shall comply with the following requirements: (ADAAG 6.1)
 - A) Hospitals, including general purpose hospitals, psychiatric facilities and detoxification facilities. At least 10% of patient bedrooms and toilets, and all public use, common use and employee use areas are required to be designed and constructed to be accessible. (ADAAG 6.1(1))
 - B) Hospitals and rehabilitation facilities that specialize in treating conditions that affect mobility, or units within either that specialize in treating conditions that affect mobility. All patient bedrooms and toilets, and all public use, common use and employee use areas are required to be designed and constructed to be accessible. (ADAAG 6.1(2))
 - C) Long term care facilities and nursing homes. At least 50% of patient bedrooms and toilets, and all public use, common use and employee use areas are required to be designed and constructed to be accessible. (ADAAG 6.1(3))
 - D) Alterations to patient bedrooms. (See Section 400.510(e)(5).)
 - E) Outpatient facilities. All public use, common use and

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employee use areas are required to be designed and constructed to be accessible. If the facility has patient bedrooms and toilets, at least 10% must be accessible.

- 2) Entrances. At least one accessible entrance that complies with Section 400.310(k) shall be protected from the weather by canopy or roof overhang. Such entrances shall incorporate a passenger loading zone that complies with Section 400.310(c)(5). (ADAAG 6.2)

- 3) Patient Bedrooms. Accessible patient bedrooms shall be provided in compliance with Section 400.310. Accessible patient bedrooms shall also comply with the following:

- A) Each bedroom shall have a door that complies with Section 400.310(j).

EXCEPTION: Entry doors to acute care hospital bedrooms for in-patients shall be exempted from the requirements in Section 400.310(j)(5) for maneuvering space at the latch side of the door if the door is at least 44 in. (1120 mm) wide.

- B) Each bedroom shall have adequate space to provide a maneuvering space that complies with Section 400.220(c). In rooms with two beds, it is preferable that this space be located between beds.

- C) Each bedroom shall have adequate space to provide a minimum clear floor space of 36 in. (915 mm) along each side of the bed and to provide an accessible route complying with Section 400.310(a)(2) to each side of each bed. (ADAAG 6.3)

- 4) Patient Toilet Rooms. Where toilet/bath rooms are provided as a part of a patient bedroom, each patient bedroom that is required to be accessible shall have an accessible toilet/bath room that complies with Section 400.310(n) or (o) and shall be on an accessible route. (ADAAG 6.4)

- e) Housing Owned or Financed by a Governmental Unit

Housing units owned or financed by a governmental unit which consist of five or more dwelling units on each project site, shall comply with all requirements of Multi-Story Housing. (See Section 400.350.)

- f) Libraries

The design of all public areas of a library shall comply with the following requirements, including reading and study areas, stacks, reference rooms, reserve areas, and special facilities or collections. (ADAAG 8.1)

- 1) Reading and Study Areas. At least 5% or a minimum of one of each element of fixed seating, tables, or study carrels shall comply with Section 400.220 and Section 400.310(w). Clearances between fixed accessible tables and between study carrels shall comply with Section 400.310(a)(2). (ADAAG 8.2)

- 2) Service Counters. Where service counters exceeding 34 in. (865 mm) in height are provided as standing counters, an auxiliary service counter or other space suitable for the business

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transaction by an environmentally limited person, shall be provided in the immediate vicinity and provide the same services. The auxiliary counter top shall comply with Section 400.310(w).

- 3) Check-Out Areas. At least one lane at each check-out area shall comply with subsection (h)(1)(A) of this Section. All traffic control or book security gates or turnstiles shall comply with Section 400.310(j). (ADAAG 8.3)

- 4) Card Catalogs, Magazine Displays and Reference Materials. Minimum clear aisle space at card catalogs, magazine displays and reference materials shall be 36 in. (915 mm) as shown in Illustration B, Fig. 55. Maximum reach height shall comply with Section 400.220, with a height of 48 in. (1220 mm) preferred irrespective of approach allowed. (ADAAG 8.4)

- 5) Stacks. Minimum clear aisle width between stacks shall comply with Section 400.310(a)(2), with a minimum clear aisle width of 42 in. (1065 mm) preferred where possible. Shelf height in stack areas is unrestricted (see Illustration B, Fig. 56). (ADAAG 8.5)

- g) Accessible Transient Lodging

- 1) General. All common areas, common use spaces, and public use spaces shall be accessible and shall comply with Section 400.310. At least one of each type of amenity (such as washers, dryers and similar equipment installed for the use of occupants) in each common area shall be accessible and shall be located on an accessible route to any accessible unit or sleeping accommodation. (ADAAG 9.5.1)

- 2) Number of Accessible Lodging Units.

- A) Five percent of the total number of lodging units with or without bathrooms, or at least one, whichever is greater, shall be accessible.

- B) In places of lodging with 50 or more sleeping rooms or suites, roll-in showers shall be provided in accordance with Section 400.310(o)(8)(B) and Illustration B, Fig. 57(a) or (b) and in conformance with the table below:

Lodging Facility	Number of Rooms with Roll-in Showers
51 to 75	1
76 to 100	1
101 to 150	2
151 to 200	2
201 to 300	3
301 to 400	4
401 to 500	4 plus one for each additional 100 over 400

(Excerpt from ADAAG 9.1.2)

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- 3) Sleeping Accommodations for Persons with Hearing Impairments. In addition to those accessible sleeping rooms and suites required by subsection (g)(2) of this Section, sleeping rooms and suites that comply with subsection (g)(6) of this Section (Visual Alarms, Notification Devices, and Telephones) shall be provided in conformance with the following table:

Number of Elements	Accessible Elements
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	2% of total
1001 and over	20 plus 1 for each 100 over 1000
	(ADAAG 9.1.3)

- 4) Classes of Sleeping Accommodations

- A) In order to provide persons with disabilities a range of options equivalent to those available to other persons served by the facility, sleeping rooms and suites required to be accessible by subsection (g)(2) of this Section shall be dispersed among the various classes of sleeping accommodations available to patrons of the place of transient lodging. Factors to be considered include room size, cost, amenities provided, and the number of beds provided. (ADAAG 9.1.4(1))
- B) Equivalent Facilitation. For purposes of this Section, it shall be deemed equivalent facilitation if the operator of a facility elects to limit construction of accessible rooms to those intended for multiple occupancy, provided that such rooms are made available at the cost of a single-occupancy room to an individual with disabilities who requires a single-occupancy room. (ADAAG 9.1.4(2))
- 5) Minimum Requirements for Accessible Lodging Units. Accessible lodging units shall comply with the following space requirements:
- A) An accessible lodging unit, sleeping room or suite shall be on an accessible route complying with Section 400.310(a) and have the following accessible elements and spaces. (ADAAG 9.2.2)

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- i) Accessible sleeping rooms shall have a 36 in. (915 mm) clear width maneuvering space located along both sides of a bed, except that where two beds are provided, this requirement can be met by providing a 36 in. (915 mm) wide maneuvering space located between the two beds. (ADAAG 9.2.2(1))
- ii) An accessible route complying with Section 400.310(a) shall connect all accessible spaces and elements, including telephones, within the unit, sleeping room, or suite. (Excerpt from ADAAG 9.2.2(2))
- iii) Doors and doorways designed to allow passage into and within all sleeping rooms, suites or other covered units shall comply with Section 400.310(j). (ADAAG 9.2.2(3))
- iv) If fixed or built-in storage facilities such as cabinets, shelves, closets, and drawers are provided in accessible spaces, at least one of each type provided shall contain storage space complying with Section 400.310(p). Additional storage may be provided outside of the dimensions required by Section 400.310(p). (ADAAG 9.2.2(4))
- v) All controls in accessible units, sleeping rooms, and suites shall comply with Section 400.310(r). (ADAAG 9.2.2(5))
- vi) Where provided as part of an accessible unit, sleeping room, or suite, the following spaces shall be accessible and shall be on an accessible route: the living area; the dining area; at least one sleeping area; patios, terraces, or balconies
- EXCEPTION: The requirements of Section 400.310(j)(7) and Section 400.310(a)(7) do not apply where it is necessary to utilize a higher door threshold or a change in level to protect the integrity of the unit from wind/water damage. Where this exception results in patios, terraces or balconies that are not at an accessible level, equivalent facilitation shall be provided (e.g., equivalent facilitation at a hotel patio or balcony might consist of providing raised decking or a ramp to provide accessibility); at least one full bathroom (i.e., one with a water closet, a lavatory, and a bathtub or shower); if only half baths are provided, at least

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one half bath; and carports, garages or parking spaces. (ADAAG 9.2.2(6))

vii) Kitchens, Kitchenettes, or Wet Bars. When provided as accessory to a sleeping room or suite, kitchens, kitchenettes, wet bars, or similar amenities shall be accessible. Clear floor space for a front or parallel approach to cabinets, counters, sinks, and appliances shall be provided to comply with Section 400.220(d). Countertops and sinks shall be mounted at a maximum height of 34 in. (865 mm) above the floor. At least 50% of shelf space in cabinets or refrigerator/freezers shall be within the reach ranges of Section 400.220(e) or (f) and space shall be designed to allow for the operation of cabinet and/or appliance doors so that all cabinets and appliances are accessible and usable. Controls and operating mechanisms shall comply with Section 400.310(r). (ADAAG 9.2.2(7))

viii) Sleeping room accommodations for persons with hearing impairments required by subsection (g)(3) of this Section and complying with subsection (g)(6) of this Section shall be provided in the accessible sleeping room or suite. (ADAAG 9.2.2(8))

6) Visual Alarms, Notification Devices and Telephones in Sleeping Rooms.

A) General. In sleeping rooms required to comply with this Section, auxiliary visual alarms shall be provided and shall comply with Section 400.310(s)(4). Visual notification devices shall also be provided in units, sleeping rooms and suites to alert room occupants of incoming telephone calls and a door knock or bell. Notification devices shall not be connected to auxiliary visual alarm signal appliances. Permanently installed telephones shall have volume controls complying with Section 400.310(v)(5); an accessible electrical outlet within 4 ft (1220 mm) of a telephone connection shall be provided to facilitate the use of a text telephone. (ADAAG 9.3.1)

B) Equivalent Facilitation. For purposes of this Section, equivalent facilitation shall include the installation of electrical outlets (including outlets connected to a facility's central alarm system) and telephone wiring in sleeping rooms and suites to enable persons with hearing impairments to utilize portable visual alarms and communication devices provided by the operator of the facility. (ADAAG 9.3.2)

7) Other Sleeping Rooms and Suites. Doors and doorways designed to allow passage into and within all sleeping units or other covered

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units shall comply with Section 400.310(j)(4). (ADAAG 9.4)

8) Multi-Bed Facilities. In transient lodging facilities with multi-bed rooms or spaces, 5% of the beds shall comply with subsection (g)(5)(A)(i) of this Section.

9) Common Use Restrooms. If common use restrooms and shower rooms are provided in lieu of private bathrooms in each accessible lodging unit, such facilities shall be located on an accessible route and the rooms shall comply with the applicable subsections of Sections 400.310(n) and (o).

10) Alarms in Common Areas. A permanent audible and visual warning system complying with Section 400.310(s)(2) through (4) shall be provided in all public use and common use areas of lodging buildings.

h) Business and Mercantile

The design of all areas used for business transactions with the public shall comply with Section 400.310 and the following requirements: (ADAAG 7.1)

1) Sales and Service Counters, Teller Windows, Information Counters

A) In department stores and miscellaneous retail stores where counters have cash registers and are provided for sales or distribution of goods or services to the public, at least one of each type shall have a portion of the counter which is at least 36 in. (915 mm) in length with a maximum height of 34 in. (865 mm) above the finish floor. It shall be on an accessible route complying with Section 400.310(a). The accessible counters must be dispersed throughout the building or facility. (For the treatment of service counters in alterations, see Section 400.510(e)(6).)

B) At ticketing counters, teller stations in a bank, registration counters in hotels and motels, box office ticket counters, and other counters that may not have a cash register, but at which goods or services are sold or distributed, either:

i) a portion of the main counter which is a minimum of 36 in. (865 mm) in length shall be provided with a maximum height of 34 in. (865 mm); or

ii) an auxiliary counter with a maximum height of 34 in. (865 mm) in close proximity to the main counter shall be provided.

All accessible sales and service counters shall be on an accessible route complying with Section 400.310(a).

C) Assistive Listening Devices (Reserved). (ADAAG 7.2)

2) Check-out Aisles

A) Accessible check-out aisles shall be provided in conformance with the table below:

TOTAL CHECK-OUT AISLES MINIMUM NUMBER OF ACCESSIBLE CHECK-OUT AISLES (OF EACH

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DESIGN)

- | | |
|---------|----------------------------------|
| 1-4 | 1 |
| 5-8 | 2 |
| 9-15 | 3 |
| Over 15 | 3, plus 20% of additional aisles |

EXCEPTION: In new construction, where the selling space is under 5000 square feet, only one check-out aisle is required to be accessible. (For alterations, see Section 400.510(e)(7).)

B) Clear aisle for accessible check-out aisles shall comply with Section 400.220(a) and maximum adjoining counter height shall not exceed 38 in. (965 mm) above the finish floor. The top of the lip shall not exceed 40 in. (1015 mm) above the finish floor.

C) Signage identifying accessible check-out aisles shall comply with Section 400.310(u)(6)(A) and shall be mounted above the check-out aisle in the same location where the check-out number or type of check-out is displayed. (ADAAG 7.3)

3) Security Bollards. Any device used to prevent the removal of shopping carts from store premises shall not prevent access or egress to environmentally limited persons. An alternate entry that is equally convenient to that provided for the ambulatory population is acceptable. (ADAAG 7.4)

4) Shelves and Display Units. Shelves or display units allowing self-service by customers shall be located on an accessible route complying with Section 400.310(a). Requirements for accessible reach range do not apply.

5) Exemption. Product storage areas need not be accessible.

i) Museums and Exhibition Areas

1) In museums and exhibition areas, every level with displays open to public viewing shall be accessible and shall comply with Section 400.310(a) and (b).

2) Displays shall be designed so that they shall be able to be viewed by seated persons and are accessible to persons in wheelchairs.

3) In state-owned facilities, audible and visual interpretive information shall be provided for persons with auditory or visual impairments.

j) Public Facilities Which Primarily Serve Children

The following dimensions and accessories may be adjusted to suit the age of children to be accommodated in the facility.

- 1) Water closets (suggested height - 15 in. (380 mm)).
- 2) Toilet stall grab bars (suggested height - 10 in. (255 mm) above the seat) 36 in. (915 mm) long, extended 18 in. (455 mm) beyond the front edge of the water closet to support a 150 lb. load.
- 3) Lavatories (suggested height - 29 in. (735 mm) from the floor to bottom of apron).

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- 4) Controls, receptacles, and dispensers (suggested height - 40 in. (1015 mm) above the finished floor).
- 5) Supplemental handrails (suggested height - 2'0" from center of bar to floor surface). (Note that this does not supersede other code requirements for guard and handrails at proper heights.)
- 6) Drinking fountain spouts (suggested height - 2'6" above finished floor).

k) Recreational Facilities

1) Parking lots, toilets, showers, cabins, campsites, concession stands, craft areas, boat docks and other communal areas shall be accessible and be on an accessible route.

2) Five percent or at least two, whichever is the greater, of all camping sites at a facility shall be accessible to people who use wheelchairs by having an accessible parking space and walk which leads to the campsites, restrooms, and fire-pits, where provided. Trails over steep or difficult terrain need not be accessible.

3) Swimming pools, beaches, zoos, botanical gardens, amusement parks, fairgrounds, bowling alleys, playgrounds, sports facilities, marinas and other recreational facilities shall be accessible. Where provided, all allied facilities, such as parking, horizontal and vertical circulation, entrances, toilet facilities, changing and shower facilities, shall meet the specific requirements of this Code.

l) Restaurants and Cafeterias

1) General. Except as specified or modified in this Section, restaurants and cafeterias shall comply with the requirements of Section 400.310. Where fixed tables (or dining counters where food is consumed but there is no service) are provided, at least five %, but not fewer than one, of the fixed tables (or a portion of the dining counter) shall be accessible and shall comply with Section 400.310(w)(2) through (4). An accessible route shall lead to and through such fixed or built-in seating areas or tables. In establishments where separate areas are designated for smoking and non-smoking patrons, the required number of accessible fixed tables (or counters) shall be proportionally distributed between the smoking and non-smoking areas. In new construction, and where practicable in alterations, accessible fixed tables (or counters) shall be distributed throughout the space or facility. (ADAAG 5.1)

2) Counters and Bars. Where food or drink is served at counters exceeding 34 in. (865 mm) in height for consumption by customers seated on stools or standing at the counter, a portion of the main counter which is 60 in. (1525 mm) in length minimum shall be provided in compliance with Section 400.310(w) or service shall be available at accessible tables within the same area. (ADAAG 5.2)

3) Access Aisles. All accessible fixed tables shall be accessible by means of an access aisle at least 36 in. (915 mm) clear

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between parallel edges of tables or between a wall and the table edges. (ADAAG 5.3)

- 4) Dining Areas. In new construction, all dining areas, including raised or sunken dining areas, loggias, and outdoor seating areas, shall be accessible. In non-elevator buildings, an accessible means of vertical access to the mezzanine is not required under the following conditions:

- A) The area of mezzanine seating measures no more than 33% of the total accessible seating area;
- B) The same services and decor are provided in an accessible space usable by the general public; and
- C) The accessible areas are not restricted to use by people with disabilities. (ADAAG 5.4)

- 5) Food Services Lines. Food service lines shall have a minimum clear width of 36 in. (915 mm), with a preferred clear width of 42 in. (1065 mm) to allow passage around a person using a wheelchair. Tray slides shall be mounted no higher than 34 in. (865 mm) above the floor (see Illustration B, Fig. 53). If self-service shelves are provided, at least 50% of each type must be within the reach ranges specified in Section 400.220(e) and (f). (ADAAG 5.5)

- 6) Tableware and Condiment Areas. Self-service shelves and dispensing devices for tableware, dishware, condiments, food and beverages shall be installed to comply with Section 400.220 (see Illustration B, Fig. 54). (ADAAG 5.6)

- 7) Raised Platforms. In banquet rooms or spaces where a head table or speaker's lectern is located on a raised platform, the platform shall be accessible in compliance with Section 400.310(e) or (h). Open edges of a raised platform shall be protected by placement of tables or by a curb. (ADAAG 5.7)

- 8) Vending Machines and Other Equipment. Spaces for vending machines and other equipment shall comply with Section 400.220 and shall be located on an accessible route. (ADAAG 5.8)

- m) Temporary Buildings and Facilities. All temporary buildings, facilities, accessible routes and building elements shall comply with the applicable accessibility requirements of this Code, unless specifically exempted in Section 400.330. In no case shall a temporary building or facility cause an existing building or facility to be further from compliance with this Code than it was prior to the erection of the temporary building, facility, accessible route, or building element.

Tenant Work

- 1) Tenant finishing work (including, but not limited to, partitions, doors, and officescapes) which is first constructed within any space of a building shall be considered as new construction within this Code, and shall comply with all requirements of this Code for new construction, including the principal entrance to the tenant space.

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- 2) Tenant finishing work which is constructed subsequent to the first tenant remodeling of a building shall be considered alterations within this Code and shall comply with requirements of this Code for alterations. The area of required compliance shall include the principal entrance to the tenant space.

o) Transportation Terminals/Stations and Shopping Malls

- 1) All public facilities which are used for transportation terminals, stations and shopping malls shall have a visual information source which shall be located immediately adjacent to principal entrance(s) of transportation terminals/stations and shopping malls to give visual directions or information to environmentally limited persons. Such visual information source shall be one or both of the following:

- A) A floor plan of the building, with viewer's position marked and properly oriented, showing vehicle embarkation and disembarkation points, entrances and exits, ticket counters, public lockers, telephones, and public toilet rooms;

- B) Printed and graphic information, complying with Section 400.310(u), with tactile characters and symbols.

- 2) Provide for installation of a Telecommunication Device for the Deaf (TDD) at all major public transportation sites as required by the Telecommunication Devices for the Deaf Act [410 ILCS 55].

- p) Detention and Correctional Facilities. Individual inmate housing units of detention and correctional facilities owned by the State of Illinois or a governmental unit, at a rate of 3% or at least 1, whichever is greater, shall be accessible in accordance with this Code.

Section 400.330 Exemptions

- a) The following buildings or parts of buildings are exempted from applicability of the minimum requirements for new construction:

1) Types of Housing

- A) Privately owned single and two-family residences and any sheds, storage buildings, or garages incidental thereto.
- B) Privately owned apartment buildings which are not herein classified as multi-story housing units.
- C) Individual dwelling units in privately owned multi-story housing units, except as required to be adaptable or accessible as defined herein.
- D) Housing, owned or financed by a governmental unit, consisting of fewer than five dwelling units located on an individual site, and any sheds, storage buildings, or garages incidental thereto.

2) Elevators

- The following areas do not have to be served by accessible passenger elevators:
- A) The basement or second floor or mezzanine space of privately

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owned public facilities, subject to all of the following:

- i) The basement functional space, second story space, or mezzanine space are each limited to 1000 net square feet or less. See definition of "functional space" (Section 400.320(b)(52) of this Part).
 - ii) The exempt area must consist of the following type of space:
 - the second story of a two-story building without a basement; or
 - the mezzanine of a one-story building without a basement; or
 - the second story of a two-story building with a basement with less than 50% functional space; or
 - the mezzanine of a one-story building with a basement with less than 50% functional space; or
 - a basement with 50% or more functional space in a one-story building.
 - iii) For mezzanines, see also Section 400.230(l)(4) of this Part.
 - iv) The exemption does not apply to areas of visitor usage or to areas of common employee usage such as locker areas, toilet facilities or lunchrooms, if these facilities are the only ones in the building.
 - v) The exemption also does not apply to a shopping center, shopping mall, or the professional office of a health care provider. (ADAAG 4.1.3(5))
- B) Temporary raised platforms, seating tiers, theater rows, stadium rows, and auditorium rows utilizing fixed seating, provided that they comply with Section 400.320(a)(1) of this Part, and further provided that the same functions and services are available on an accessible level of the space. Elevators do not have to be provided to all levels of a multi-level platform.
- C) Areas served by ramps that conform to Section 400.310(e) of this Part.
- D) Areas permitted to be served by platform lifts pursuant to and in conformance with Section 400.310(h) of this Part. The elevator exemption in this subsection (a)(2) does not obviate or limit in any way the obligation to comply with the other accessibility requirements established in this Section.
- 3) Employee Work Areas
Areas that are used only by employees as work areas shall be designed and constructed so that individuals with disabilities

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can approach, enter, and exit the areas. Areas used only as work areas are not required to be constructed to permit maneuvering within the work area or to be constructed or equipped (i.e., with racks or shelves) to be accessible. (ADAAG 4.1.1(3))

- 4) Temporary Structures
Temporary buildings, structures, sites and equipment directly associated with the actual process of major construction, such as scaffolding, bridging, rigging, materials hoists or construction trailers are exempt. Temporary safe pedestrian passageways around a construction site are not exempt. (ADAAG 4.1.1(4))
- b) General Exceptions
Accessibility is not required for:
 - 1) observation galleries used primarily for security purposes; or
 - 2) non-occupiable spaces accessed only by ladders, catwalks, crawl spaces, very narrow passageways, or freight (non-passenger) elevators, and frequented only by service personnel for repair purposes; such spaces include, but are not limited to, elevator pits, elevator penthouses, piping, or equipment catwalks. (ADAAG 4.1.1(5)(b))
- c) Structurally Impracticable
Full compliance with the requirements for new construction is not required in those rare circumstances when the unique characteristics of terrain prevent the incorporation of all required accessibility features. If full compliance is structurally impracticable, compliance shall be provided insofar as possible. Compliance with all other accessibility requirements, in any other portion of the building or facility to the extent that it is not structurally impracticable, is required. (Adapted from: ADAAG 4.1.1(5)(a))

SUBPART D: MULTI-STORY HOUSING, NEW CONSTRUCTION

Section 400.350 Multi-Story Housing, New Construction

NOTE: New construction of multi-unit housing may also be subject to federal law, which has different accessibility requirements. See Fair Housing Amendments Act (42 U.S.C. Section 3601 et seq.).

- a) All common use and public use spaces on all floors (levels) shall be accessible utilizing subsections of Section 400.310 as required to ensure accessibility. Entrance doors to all individual dwelling units shall comply with Section 400.310(j).
- b) All site improvements shall be accessible, including an accessible route from the public sidewalk, public transportation facilities and/or parking, if provided, to and through an accessible entrance.
- c) A permanent audible and visual emergency warning system complying with Section 400.310(s) shall be provided in all public use and common use areas. Permanent or portable audible and visual emergency warning systems shall be installed in all adaptable units on an as-needed basis at the request of an environmentally limited occupant. If a

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permanent system is provided, the visual emergency warning system shall be arranged so the flashing light beam is visible in all rooms of the dwelling unit.

- d) The owner shall provide 20%, or at least one, whichever is greater, of the dwelling units as adaptable. Either the accessible or adaptable dwelling units shall be distributed throughout the building to provide a variety of sizes and locations.

e) Adaptable Dwelling Units

- 1) Adaptable dwelling units shall be designed and constructed so they may, upon application by initial occupant, be converted to accessible units, with a minimum of structural changes, to meet the needs of different types of environmentally limited persons and to comply with Section 400.360. Costs of conversion for the initial environmentally limited person shall be borne by the owner; subsequent conversion costs shall be paid by the occupant.
- 2) An accessible route complying with Section 400.310(a) shall be provided into and within all adaptable dwelling units to all rooms and spaces and shall provide maneuvering space at doors as required by Section 400.310(j)(5).
- 3) An accessible route conforming with Section 400.310(a) shall be provided into and within all private patios, terraces, balconies, carports and garages designated for use by adaptable dwelling units.

- 4) Bathrooms in adaptable dwelling units shall comply with the space requirements of Section 400.360(c). Bathrooms shall be designed to allow, when converted to accessible units, for the installation of grab bars, water closets, toilet paper dispensers, mirrors, medicine cabinets, under-lavatory cabinets, in-tub or head-end bathtub seats, faucets, controls, pipe insulation, shower seats, and shower spray units without structural changes to the walls, floors or ceilings.

- 5) Kitchen appliances and laundry facilities, if provided in adaptable dwelling units shall comply with Section 400.360(d) and (e).

- 6) Personal storage included in the initial construction of adaptable dwelling units shall comply with Section 400.310(p).

- 7) Dwelling units consisting of two stories are exempt from requirements for adaptability, as defined herein, if the required proportion of adaptable units, as stipulated in the Environmental Barriers Act, is met by other types of units distributed throughout the building; or, if accessibility to the second floor can be provided by the owner by the installation of a residential elevator or stairway chairlift complying with ASME A17.1-1996 when appropriate and approved by administrative authorities.

Section 400.360 Requirements for Adaptable Dwelling Units

NOTE: The illustrations and text of ANSI A-117.1-1986 are reproduced with

permission from the American National Standards Institute.

- a) General
Adaptable dwelling units shall comply with the requirements of this Section.
- b) Adaptability
Subsections (c) and (d) specify a range of heights and clearances within which certain fixtures may be installed (for example, grab bars at bathtubs and toilets, and work surfaces and sink heights in kitchens). In the case of grab bars, provision can be made for later installation within the specified height range, as requested by the occupant of the dwelling unit. Other fixtures may be permanently installed at a height within these ranges, or the fixtures may be adjustable within the ranges. A unit in which fixtures may be added or adjusted in height is an adaptable unit. Both adaptable units and units in which fixtures are permanently installed within the heights specified in this Section are accessible dwelling units.

c) Bathrooms

Accessible bathrooms shall be on an accessible route and shall comply with the following requirements:

- 1) Doors. Doors may swing into the clear floor space required for any fixtures only when the bathroom provides sufficient maneuvering space (see Illustration B, Fig. 3) within the bathroom for a person using a wheelchair to enter and close the door, use the fixtures, reopen the door, and exit.

2) Water Closets

- A) Clear floor space at the water closet shall be as shown in Illustration B, Fig. 28. The water closet may be located with the clear area at either the right or left side of the toilet.

- B) The height of the water closet shall be at least 15 in. (380 mm) and no more than 19 in. (485 mm) measured to the top of the toilet seat.

- C) Grab bars shall be installed as shown in Illustration B, Fig. 29 and shall comply with Section 400.310(q), or structural reinforcement or other provisions shall be made that will allow installation of grab bars in the locations shown.

- D) The toilet paper dispenser shall be installed within reach as shown in Illustration B, Fig. 29, at a maximum distance of 36 in. (915 mm) from the face of the wall behind the water closet.

3) Lavatory, Mirrors, and Medicine Cabinets

- A) The lavatory and mirrors shall comply with Section 400.310(n)(7).

- B) If a cabinet is provided under the lavatory, it shall provide, or shall be removable to provide, the clearances specified in Section 400.310(n)(7)(B).

- C) If a medicine cabinet is provided above the lavatory, then

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the bottom of the medicine cabinet shall be located with a usable shelf no higher than 44 in. (1120 mm) above the floor.

- 4) Bathtubs. If a bathtub is provided, it shall have the following features:

A) Floor Space. Clear floor space at bathtubs shall be as shown in Illustration B, Fig. 33.

B) Seat. An in-tub seat or a seat at the head end of the tub shall be provided as shown in Illustration B, Fig. 33 and 34. The structural strength of seats and their attachments shall comply with Section 400.310(q)(3). Seats shall be mounted securely and shall not slip during use.

C) Grab Bars. Grab bars shall be installed within the range of heights shown in Illustration B, Fig. 34 and shall comply with Section 400.310(q), or structural reinforcement or other provisions shall be made that will allow installations of grab bars meeting these requirements.

D) Controls. Faucets and other controls shall be located as shown in Illustration B, Fig. 34 and shall comply with Section 400.310(r)(4).

E) Shower Unit. A shower spray unit shall be provided with a hose at least 60 in. (1525 mm) long that can be used as a fixed shower head or as a hand-held shower. If an adjustable-height shower head mounted on a vertical bar is used, the bar shall be installed so as not to obstruct the use of grab bars.

- 5) Showers. If a shower is provided, it shall have the following features:

A) Size and Clearances. Shower stall size and clear floor space shall comply with either Illustration B, Fig. 35(a) or (b). The shower stall in Illustration B, Fig. 35(a) shall be 36 in. by 36 in. (915 mm by 915 mm). The shower stall in Illustration B, Fig. 35(b) will fit into the same space as a standard bathtub, 60 in. (1525 mm) long.

B) Seat. A seat shall be provided in the shower stall in Illustration B, Fig. 35(a) as shown in Illustration B, Fig. 36. The seat shall be 17 in. to 19 in. (430 mm to 485 mm high measured from the bathroom floor and shall extend the full depth of the stall. The seat shall be on the wall opposite the controls. The structural strength of seats and their attachments shall comply with Section 400.310(q)(3). Seats shall be mounted securely and shall not slip during use.

C) Grab Bars. Grab bars shall be installed within the range of heights shown in Illustration B, Fig. 37 and shall comply with Section 400.310(q), or structural reinforcement or other provisions shall be made that will allow installation of grab bars meeting these requirements.

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D) Controls. Faucets and other controls shall be located as shown in Illustration B, Fig. 37 and shall comply with Section 400.310(r)(4). In the shower stall in Illustration B, Fig. 35(a), all controls, faucets, and the shower unit shall be mounted on the side wall opposite the seat.

E) Shower Unit. A shower spray unit shall be provided with a hose at least 60 in. (1525 mm) long that can be used as a fixed shower head at various heights or as a hand-held shower. If an adjustable-height shower head mounted on a vertical bar is used, the bar shall be installed so as not to obstruct the use of grab bars.

6) Bathtub and Shower Enclosures. Enclosures for bathtubs or shower stalls shall not obstruct controls or transfer from wheelchairs onto shower or bathtub seats. Enclosures on bathtubs shall not have tracks mounted on their rims.

7) Clear Floor Space. Clear floor space at fixtures may overlap.

d) Kitchens Accessible kitchens and their components shall be on an accessible route and shall comply with the following requirements:

1) Clearance. Where counters provide the knee clearances specified in Section 400.310(n)(7)(B), clearances between those counters and all opposing base cabinets, countertops, appliances, or walls in kitchens shall be 40 in. (1015 mm) minimum, except in U-shaped kitchens, where such clearances shall be 60 in. (1525 mm) minimum.

2) Clear Floor Space. A clear floor space at least 30 in. by 48 in. (760 mm by 1220 mm) that allows either a forward or a parallel approach by a person in a wheelchair shall be provided at all appliances in the kitchen, including the range or cooktop, oven, refrigerator, freezer, dishwasher, and trash compactor. Laundry equipment located in the kitchen shall comply with subsection (e) of this Section.

3) Controls. All controls in kitchens shall comply with Section 400.310(r).

4) Work Surfaces. At least one 30 in. (760 mm) section of counter shall provide a work surface that complies with the following requirements (see Illustration B, Fig. 50):

A) The counter shall be adjustable or replaceable as a unit at variable heights between 28 in. and 36 in. (710 mm and 915 mm), measured from the floor to the top of the counter surface, or shall be mounted at a fixed height no greater than 34 in. (865 mm), measured from the floor to the top of the counter surface.

B) Base cabinets, if provided shall be removable under the full 30 in. (760 mm) minimum frontage of the counter. The finished floor shall extend under the counter to the wall.

C) Counter thickness and supporting structure shall be 2 in. (51 mm) maximum over the required clear area.

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- D) A clear floor space of 30 in. by 48 in. (760 mm by 1220 mm) shall allow a forward approach to the counter. Nineteen inches (485 mm) maximum of the clear floor space may extend underneath the counter. The knee space shall have a minimum clear width of 30 in. (760 mm).
- E) There shall be no sharp or abrasive surfaces under such counters.
- 5) Sink. The sink and surrounding counter shall comply with the following requirements (see Illustration B, Fig. 51):
- A) The sink and surrounding counter shall be adjustable or replaceable as a unit at variable heights between 28 in. and 36 in. (710 mm and 915 mm), measured from the finished floor to the top of the counter surface or sink rim, or shall be mounted at a fixed height no greater than 34 in. (865 mm), measured from the finished floor to the top of the counter surface or sink rim.
- B) Where sinks are installed to be adjustable in height, rough-in plumbing shall be located to accept connections of supply and drain pipes for sinks mounted at the height of 28 in. (710 mm).
- C) The depth of a sink bowl shall be no greater than 6-1/2 in. (165 mm). Only one bowl of double-bowl or triple-bowl sinks needs to meet this requirement.
- D) Faucets shall comply with Section 400.310(r)(4). Lever-operated or push-type mechanisms are two acceptable designs.
- E) Base cabinets, if provided, shall be removable under the full 30 in. (760 mm) minimum frontage of the sink and surrounding counter. The finished flooring shall extend under the counter to the wall.
- F) Counter thickness and supporting structure shall be 2 in. (50 mm) maximum over the required clear space.
- G) A clear floor space of 30 in. by 48 in. (760 mm by 1220 mm) shall allow forward approach to the sink. Nineteen inches (485 mm) maximum of the clear floor space may extend underneath the sink. The knee space shall have a minimum clear width of 30 in. (760 mm).
- H) There shall be no sharp or abrasive surfaces under sinks. Hot-water pipes and drain pipes under sinks shall be insulated or otherwise covered.
- 6) Ranges and Cooktops. Ranges and cooktops shall comply with subsections (d)(2) and (d)(3) of this Section. If ovens or cooktops have knee spaces underneath, then they shall be insulated or otherwise protected on the exposed contact surfaces to prevent burns, abrasions, or electrical shock. The clear floor space may overlap the knee space, if provided, by 19 in. (485 mm) maximum. The location of controls for ranges and cooktops shall not require reaching across burners.

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- 7) Ovens. Ovens shall comply with subsections (d)(2) and (d)(3) of this Section. Ovens shall be of the self-cleaning type or be located adjacent to an adjustable height counter with knee space below (see Illustration B, Fig. 52). For side-opening ovens, the door latch side shall be next to the open counter space, and there shall be a pull-out shelf under the oven extending the full width of the oven and pulling out not less than 10 in. (255 mm) when fully extended. Ovens shall have controls on front panels; they may be located on either side of the door.
- 8) Refrigerator/Freezers. Refrigerator/freezers shall comply with subsection (d)(3) of this Section. Provision shall be made for refrigerator/freezers that are:
- A) Of the vertical side-by-side refrigerator/freezer type; or
- B) Of the over-and-under type and meet the following requirements:
- Have at least 50% of the freezer space below 54 in. (1370 mm) above the floor.
 - Have 100% of the refrigerator space and controls below 54 in. (1370 mm).
- Freezers with less than 100% of the storage volume within the limits specified in Section 400.220(e) or (f) shall be the self-defrosting type.
- 9) Dishwashers. Dishwashers shall comply with subsections (d)(2) and (d)(3) of this Section. Dishwashers shall have all rack space accessible from the front of the machine for loading and unloading dishes.
- 10) Kitchen Storage. Cabinets, drawers, and shelf storage areas shall comply with Section 400.310(p) and shall have the following features:
- Maximum height shall be 48 in. (1220 mm) for at least one shelf of all cabinets and storage shelves mounted above work counters (see Illustration B, Fig. 50).
 - Door pulls or handles for wall cabinets shall be mounted as close to the bottom of cabinet doors as possible. Door pulls or handles for base cabinets shall be mounted as close to the top of cabinet doors as possible.
- e) Laundry Facilities
- If laundry equipment is provided within individual accessible dwelling units, or if separate laundry facilities serve one or more accessible dwelling units, they shall meet the following requirements:
- Location. Laundry facilities and laundry equipment shall be on an accessible route.
 - Washing Machines and Clothes Dryers. Washing machines and clothes dryers in common-use laundry rooms shall be front loading.
 - Controls. Laundry equipment shall comply with Section 400.310(r).

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SUBPART E: PUBLIC FACILITIES - ADDITIONS

Section 400.410 Public Facilities, Additions - Minimum Requirements

All additions to public facilities are considered new construction and are subject to the applicable requirements of Section 400.310 and to the following additional requirements:

- a) All spaces within any addition shall be accessible and provide the minimum elements listed in Section 400.310 to ensure accessibility.
- b) Entrances
 - If a new addition to a public facility does not have an accessible entrance, then at least one entrance to the existing building or facility shall comply with Section 400.310(k).
- c) Accessible Route
 - If the only accessible entrance to the new addition is located in the existing building or facility, then at least one accessible route conforming with Section 400.310(a) shall provide access through the existing building or facility to all accessible spaces in the new addition.
- d) Toilet rooms and Bathing Facilities
 - 1) Toilet rooms, existing and/or new, shall provide the "Minimum Number of Plumbing Fixtures" required by the Illinois Plumbing Code (77 Ill. Adm. Code 890), including the requirements of the addition.
 - 2) If there are no toilet rooms, bathing facilities, or shower rooms in the addition and these facilities are provided in the existing building, then at least one toilet room, one bathing facility, or one shower room for each sex shall conform with Section 400.310(n).

Section 400.420 Exemptions

Additions to all buildings or parts of buildings are exempted in Section 400.330 from applicability of the minimum requirements for new construction.

SUBPART F: PUBLIC FACILITIES - ALTERATIONS

Section 400.510 Public Facilities, Alterations - Minimum Requirements

- a) General
 - 1) Alterations (as defined in Section 400.210(b)(11)) to existing public facilities to which the Environmental Barriers Act and this Code apply shall be accessible as provided in this Section.
 - 2) No alteration shall be undertaken that decreases or has the effect of decreasing accessibility or usability of a building or facility below the requirements for new construction at the time of alteration. (Section 5, EBA) (ADAAG 4.1.6(1)(a))
- b) Scope

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- 1) All Public Facilities - Alteration Costs 15% or Less. If the alteration costs 15% or less of the reproduction cost of the public facility, the element or space being altered shall comply with the applicable requirements for new construction (Section 5, EBA) (see Sections 400.310 and 400.320). (See also subsection (b)(6) of this Section for treatment of alterations to specific categories of public facilities.)
- 2) State Owned Public Facilities - Alteration Costs 15%-50%. If the alteration is to a public facility owned by the State and the alteration costs more than 15% but less than 50% of the reproduction cost of the public facility, the following shall comply with the applicable requirements for new construction (Section 5, EBA) (see Sections 400.310 and 400.320):
 - A) the element or space being altered;
 - B) an entrance and a means of egress intended for use by the general public;
 - C) all spaces and elements necessary to provide horizontal and vertical accessible routes between an accessible entrance and means of egress and the element or space being altered;
 - D) at least one accessible toilet room for each sex or a unisex toilet when permitted, if toilets are provided or required (see subsection (e)(1) of this Section);
 - E) accessible parking spaces, where parking is provided; and
 - F) an accessible route from public sidewalks or from accessible parking spaces, if provided, to an accessible entrance. (Section 5, EBA)
- 3) All Public Facilities Other Than State-Owned-Alteration Costs 15% to 50% and Less than \$100,000. If the alteration costs more than 15% but less than 50% of the reproduction cost of the public facility, and less than \$100,000, the following shall comply with the applicable requirements for new construction (see Sections 400.310 and 400.320):
 - A) the element or space being altered; and
 - B) an entrance and a means of egress intended for use by the general public. (Section 5, EBA)
- 4) All Public Facilities Other Than State-Owned - Alteration Costs 15% to 50% and More than \$100,000. If the alteration costs more than 15% but less than 50% of the reproduction cost of the public facility, and more than \$100,000, the following shall comply with the applicable requirements for new construction (see Sections 400.310 and 400.320):
 - A) the element or space being altered;
 - B) an entrance and a means of egress intended for use by the general public;
 - C) all spaces and elements necessary to provide horizontal and vertical accessible routes between an accessible entrance and means of egress and the element or space being altered. VERTICAL ACCESS EXCEPTION: However, privately owned public

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facilities are not required to provide vertical access in a building with two levels of occupiable space where the cost of providing such vertical access is more than 20% of the reproduction cost of the public facility;

D) at least one accessible toilet room for each sex or a unisex toilet, when permitted, if toilets are provided or required (see subsection (e)(1) of this Section);

E) accessible parking spaces, where parking is provided; and

F) an accessible route from public sidewalks or from the accessible parking spaces, if provided, to an accessible entrance. (Section 5, EBA)

5) All Public Facilities - Alteration Costs 50% or More. If the alteration costs 50% or more of the reproduction cost of the public facility, the entire public facility shall comply with the applicable requirements for new construction (Section 5, EBA) (see Sections 400.310 and 400.320).

6) Alterations to Specific Categories of Public Facilities. For religious entities, private clubs, and owner-occupied transient lodging facilities of five units, compliance with the standards adopted by the Capital Development Board is not mandatory if the alteration costs 15% or less of the reproduction cost of the public facility. However, if the cost of the alteration exceeds \$100,000, the element or space being altered must comply with the applicable requirements for new construction (Section 5, EBA) (see Sections 400.310 and 400.320). If the alteration costs more than 15% of the reproduction cost, subsections (b)(3), (4) and (5) above, as applicable, govern.

c) Calculation of Reproduction Cost

For the purpose of calculating percentages of reproduction cost, the cost of alteration shall be construed as the total actual combined cost of all alterations made within any period of 30 months. (Section 5, EBA)

d) Housing

1) Scope. Alterations to housing that is owned, financed or guaranteed by a governmental unit is subject to the applicable requirements of subsection (b) of this Section. Privately financed alterations to housing are not covered by the Environmental Barriers Act or this Code. NOTE: All housing, including new construction and some alterations may be subject to federal law. See Fair Housing Amendments Act, 42 U.S.C. 3601 et seq.

2) Specific Requirements

A) Toilet Rooms. With respect to the requirements for toilet rooms at subsections (b)(2)(iv) and (b)(4)(iv) of this Section, for housing units this requirement is applicable only to toilet rooms provided in public or common use areas.

B) Application of New Construction Requirements. With respect to housing alterations subject to subsection (b)(5) of this

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Section, the public and common use areas shall comply with the applicable requirements for new construction and the percentage of dwelling units required to be accessible or adaptable in Section 400.350 shall be provided.

e) Specific Modifications of New Construction Requirements Permitted in Alterations

1) Toilet Rooms

A) Unisex Toilet Rooms. Use of a unisex toilet room is permitted where construction of a single sex toilet room is technically infeasible or where otherwise permitted by the Illinois Plumbing Code, such as where such facilities are provided in addition to the required number of separate sex toilet rooms. Where unisex toilet rooms are provided, the following requirements shall be met:

i) At least one unisex toilet room per floor shall be installed in the same area as existing toilet facilities;

ii) At least one water closet complying with Section 400.310(n)(5)(B);

iii) At least one lavatory complying with Section 400.310(n)(7);

iv) A door complying with Section 400.310(n)(3) with a privacy latch; and

v) The room itself shall have no stalls and a clear floor space of 60 in. (1525 mm).

B) Toilet Stalls. In instances of alteration work where provision of a standard stall (Illustration B, Fig. 30(a)) is technically infeasible or where plumbing code requirements prevent combining existing stalls to provide space, either alternate stall (Illustration B, Fig. 30(b)) may be provided in lieu of the standard stall (ADAAG 4.17.3). See Section 400.310(n)(5)(A)(ii).

C) Toilet Rooms. When existing toilet or bathing facilities are being altered and are not made accessible, signage complying with Section 400.310(u)(1) through (6) shall be provided indicating the location of the nearest accessible toilet or bathing facility within the facility. (ADAAG 4.1.6(3)(e)(iii))

2) Handrails. Full extension of stair handrails shall not be required in alterations where such extensions would be hazardous, such as interfering with the operation of an exit door.

3) Ramps. Curb ramps and interior or exterior ramps to be constructed on existing sites or in existing buildings or facilities where space limitations prohibit the use of a 1:12 slope or less may have slopes and rises as follows:

A) A slope between 1:10 and 1:12 is allowed for a maximum rise of 6 in.

B) A slope between 1:8 and 1:10 is allowed for a maximum rise

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of 3 in. A slope steeper than 1:8 is not allowed. (ADAAG 4.1.6(3)(a))

- 4) Platform Lifts. (See Section 400.310(h)(1)(D) and (h)(2).)

- 5) Patient Rooms in Medical Care Facilities. Alterations to patient bedrooms:

A) When patient bedrooms are being added or altered as part of a planned renovation of an entire wing, a department, or other discrete area of an existing medical facility, a percentage of the patient bedrooms that are being added or altered shall comply with Section 400.320(d)(3). The percentage of accessible rooms provided shall be consistent with the percentage of rooms required to be accessible by the applicable requirements of Section 400.320(d)(1)(A) through (C) and (E) until the number of accessible patient bedrooms in the facility equals the overall number that would be required if the facility were newly constructed. (For example, if 20 patient bedrooms are being altered in the obstetrics department of a hospital, 2 of the altered rooms must be made accessible. If, within the same hospital, 20 patient bedrooms are being altered in a unit that specializes in treating mobility impairments, all of the altered rooms must be made accessible.) Where toilet/bathrooms are part of patient bedrooms which are added or altered and required to be accessible, each such patient toilet/bathroom shall comply with Section 400.320(d)(4).

- B) When patient bedrooms are being added or altered individually, and not as part of an alteration of the entire area, the altered patient bedrooms shall comply with Section 400.320(d)(3), unless either:

- i) the number of accessible rooms provided in the department or area containing the altered patient bedroom equals the number of accessible patient bedrooms that would be required if the percentage requirements of Section 400.320(d)(1)(A) through (C) and (E) were applied to that department or area; or
 - ii) the number of accessible patient bedrooms in the facility equals the overall number that would be constructed. Where toilet/bathrooms are part of patient bedrooms which are added or altered and required to be accessible, each such toilet/bathroom shall comply with Section 400.320(d)(4). (ADAAG 6.1)
- 6) Service Counters. In alterations where it is technically infeasible to provide an accessible counter, an auxiliary counter meeting the requirements of Section 400.320(h)(1)(A) may be provided. (ADAAG 7.2(1))
- 7) Check-Out Aisles. In alterations, at least one check-out aisle shall be accessible in facilities under 5000 square feet of

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selling space. In facilities of 5000 or more square feet of selling space, at least one of each design of check-out aisle shall be made accessible when altered until the number of accessible check-out aisles of each design equals the number required in new construction. (ADAAG 7.3(1)) (See Section 400.320(h)(2).)

- 8) Restaurants and Cafeterias. In alterations, where practicable, accessible fixed tables (or counters) shall be distributed throughout the space or facility. (ADAAG 5.1)

- 9) Tenant Work. Tenant finishing work (including, but not limited to partitions, doors, and officescapes) which is constructed subsequent to the first tenant remodeling of a building shall be considered alterations within this Code and shall comply with the requirements of this Section.

- 10) Site Improvements and Exterior Facilities

A) All existing curbs which are part of any reconstruction or alteration shall be provided with accessible curb ramps along the path of travel between all public facilities and/or multi-story housing units.

B) All walks and sidewalks installed as part of a municipal improvement, or replacement walks or sidewalks within site facilities shall meet the requirements of this Code at Section 400.310(a) and (d).

C) All changes, improvements, or maintenance of existing parking lots including sealcoating, resurfacing, remarking, fencing, curbs, walks, and/or landscaping shall provide accessible parking spaces in accordance with Section 400.310(c). In addition, there shall be provided curb ramps as necessary to provide an accessible route to an accessible entrance.

D) If inaccessible elements (such as steps, curbs, ramps) occur along a site access route within the boundary of the site connecting public transportation stops, accessible parking spaces, passenger loading zones, public streets and sidewalks and an accessible entrance to a public facility or multi-story housing unit, and such elements are to be improved or replaced, the improvement or replacement shall meet requirements of this Code at Section 400.310(a) and (d) and result in an accessible site access route.

- 11) Accessible Transient Lodging. Alterations to accessible units, sleeping rooms, and suites:

A) When sleeping rooms are being altered in an existing facility, or portion thereof, subject to the requirements of Section 400.320(b), at least one sleeping room or suite that complies with the requirements of Section 400.320(g)(5) shall be provided for each 25 sleeping rooms, or fraction thereof, of rooms being altered until the number of such rooms provided equals the number required to be accessible

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pursuant to Section 400.320(g)(2).
 B) At least one sleeping room or suite that complies with the requirements of Section 400.320(g)(6) shall be provided for each 25 sleeping rooms, or fraction thereof, of rooms being altered until the number of such rooms equals the number required to be accessible by Section 400.320(g)(3). (ADAAG 9.1.5)

12) Doors

A) In alterations, where it is technically infeasible to provide a 32 in. (815 mm) clear opening as required in Section 400.310(j)(4), the latch side stop may project up to a maximum 5/8 in. (16 mm) into the opening width. (Adapted from ADAAG 4.1.6(3)(d)(i))

B) Existing thresholds 3/4 in. (19 mm) high or less may remain if such thresholds have or are modified to have a beveled edge on each side. (Adapted from ADAAG 4.1.6(3)(d)(ii))

13) Dressing and Fitting Rooms. In alterations where technical infeasibility can be demonstrated, one dressing room for each sex on each level shall be made accessible. Where only unisex dressing rooms are provided, accessible unisex dressing rooms may be used to fulfill this requirement. (ADAAG 4.1.6(3)(h))

14) Elevators

A) In alterations where technical infeasibility prohibits strict compliance with Section 400.310(g)(9) the minimum car plan dimensions may be reduced by the minimum amount necessary, but in no case shall the inside car area be smaller than 48 in. by 48 in. (1220 mm by 1220 mm). (ADAAG 4.1.6(3)(c)(ii))

B) Equivalent facilitation may be provided with an elevator car of different dimensions when usability can be demonstrated and when all other elements required to be accessible comply with the applicable provisions of Section 400.310(g). For example, an elevator of 47 in. by 69 in. (1195 mm by 1755 mm), with a door opening on the narrow dimension, could accommodate the standard wheelchair clearances shown in Illustration B, Fig. 4. (ADAAG 4.1.6(3)(c)(iii))

Section 400.520 Exemptions to the Alterations Requirements

- a) Existing privately owned multi-story housing units which are altered with private funds. When privately owned multi-story housing units are altered with financing from or guarantees by a governmental unit, the requirements of Section 400.510(d) shall be met.
- b) Alterations to all buildings or parts of buildings which are exempted from the minimum requirements for new construction (see Section 400.330).
- c) Historic preservation work except as applicable under Section 400.610.
- d) Parts of buildings which it would be technically infeasible to make

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conform to the strict requirements of the Code for new construction, with the approval of the administrative authority.

SUBPART G: HISTORIC PRESERVATION

Section 400.610 Historic Preservation, Scope - Minimum Requirements

Historic preservation, including historic reconstruction and historic restoration, is the alterations category applied to historic buildings or historically interpreted buildings. Every qualified historic building (as defined in Section 400.210), facility, or site open to the public shall also provide access to environmentally limited persons as required in this Section to afford them the maximum opportunity to experience their cultural heritage consistent with maintaining the historic aspects of the building or site.

a) General

1) Alterations to a qualified historic building or facility shall comply with the applicable requirements of this Code, unless it is determined pursuant to subsection (a)(2), below, that such compliance would threaten or destroy the historic significance of the building or facility in which case the alternative requirements for historic buildings, Section 400.620, may be used.

2) Where alterations are undertaken to a historic building or facility, if the entity undertaking the alterations believes that compliance with the requirements for accessible routes (exterior and interior), ramps, entrances, or toilets would threaten or destroy the historic significance of the building or facility and that the alternative requirements in Section 400.620 should be used for the element or space being altered, the entity should consult with the Illinois Historic Preservation Agency. If the Illinois Historic Preservation Agency agrees that compliance with the requirements for accessible routes (exterior and interior), ramps, entrances, or toilets would threaten or destroy the historic significance of the building or facility, the alternative requirements in Section 400.620 may be used. The determination that an alteration would threaten or destroy the historic significance of the building or facility shall be based upon the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings. Alterations not recommended by the Standards shall be considered to threaten or destroy the historic significance of the building or facility. In that case, the alternative requirements as defined in Section 400.620 for alterations to historic buildings may be used.

b) Scope

- 1) All Historic Buildings - Alteration Costs 15% or Less. Where the cost of alterations to any historic building, facility or site is 15% or less of the reproduction cost of the public facility the element or space being altered must comply with this

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Code if the conditions of subsection (a)(2) of this Section are met. Alternative requirements for historic buildings, Section 400.620, may be substituted for the requirements of Section 400.310.

- 2) Historically Interpreted Buildings - Alteration Costs 15% or More. If "historically interpreted buildings" as defined in Section 400.210, which are owned by either a governmental unit or are privately owned, undergo alterations which cost more than 15% of the reproduction cost of the public facility, the following minimum requirements shall be met:

- A) An accessible route complying with Section 400.310(a) and (b) shall be provided to one principal level with displays open to the public. Exception: Where providing an accessible route would threaten or destroy the historic significance of the building or facility, fully accessible permanent interpretive exhibits which are of equivalent educational and interpretive scope as the non-accessible historic parts of the building or facility shall be provided as near to the non-accessible part of the building or facility as possible.
 - B) An audible and visual information source shall be provided adjacent to the main entrance to the historic building or facility to give directions and information to persons with disabilities.
 - C) Displays and written information shall be located and designed so that they may be seen by seated persons. Exhibits and signage displayed horizontally (e.g., open books) should be no higher than 44 in. (1120 mm) above the floor surface. (ADAAG 4.1.7(e))
 - D) At least one accessible toilet room for each sex complying with Section 400.310(n) if toilets are required in the facility or one unisex toilet room, if permitted by the Illinois Plumbing Code, shall be provided as near the site as possible but at least within 200 feet from the main entrance of the building or facility.
 - E) At least one accessible drinking fountain complying with Section 400.310(l), if drinking fountains are required in the facility, shall be provided as near the site as possible but at least within 200 feet from the main entrance of the building or facility.
 - F) Accessible parking spaces complying with Section 400.310(c), where parking is provided.
 - G) An accessible route from the accessible parking spaces, if provided, to an accessible entrance.
 - H) Alternative requirements for historic buildings, Section 400.620, may be substituted for the requirements of Section 400.310.
- 3) Other Historic Buildings - Alteration Costs 15% or More. If

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historic buildings other than "historically interpreted buildings" as defined in Section 400.210, which are owned by either a governmental unit or are privately owned, undergo alterations which cost more than 15% of the reproduction cost of the public facility, the following must comply with this Code:

- A) The element or space being altered.
- B) An entrance and a means of egress intended for use by the general public.
- C) Horizontal and vertical accessible routes between an entrance or means of egress and the parts being altered.
- D) At least one accessible toilet room for each sex complying with Section 400.310(n) if toilets are required in the facility or one unisex toilet room, if permitted by the Illinois Plumbing Code.
- E) Accessible parking spaces complying with Section 400.310(c), where parking is provided.
- F) An accessible route from the accessible parking spaces, if provided, to an accessible entrance.
- G) Alternative requirements as defined in Section 400.620 may be substituted for the requirements of Section 400.310 where deemed necessary by the Illinois Historic Preservation Agency.

- 4) Specific Provisions. The following provisions shall also apply to alterations to historic buildings:

- A) Full extension of stair handrails shall not be required in alterations where such extensions would be hazardous or impossible due to plan configuration.
- B) If safety door edge is provided in existing automatic elevators, then the automatic door protective and reopening devices as required in Section 400.310(g)(6) may be omitted.
- C) Where existing shaft or structural elements prohibit strict compliance with the minimum dimensions of the elevator cars as required in Section 400.310(g)(9), then the minimum floor area dimensions may be reduced to no less than 48 in. by 48 in. (1220 mm by 1220 mm).
- D) In alterations to historic buildings where it is technically infeasible to disperse seating throughout an assembly area, the seating may be located in collected areas. Seating shall adjoin an accessible route which also serves as a means of emergency egress.

- c) Calculation of Reproduction Cost

For the purpose of calculating percentages of reproduction cost, the cost of alterations shall be construed as the total actual combined cost of all alterations made within any period of 30 months.

Section 400.620 Alternative Requirements for Historic Buildings

The following alternative requirements may be substituted for the requirements

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of Section 400.310 when a historic building undergoes alterations:

- a) Changes of level may be accommodated by ramps having the following maximum slopes:

- 1) A slope between 1:10 and 1:12 is allowed for a maximum rise of 6 in.
- 2) A slope between 1:8 and 1:10 is allowed for a maximum rise of 3 in. (ADAAG 4.1.6(3)(a))
- 3) A slope between 1:6 and 1:8 is allowed for a maximum rise of 2 in.
- 4) Where access to any space in a historic building will be limited to controlled groups with assigned tour guides, changes in level as provided in this subsection (a)(1) may be accommodated by means of a detachable ramp.

- b) Where access to any space in a historic building will be limited to controlled groups with assigned tour guides, requirements of the following Sections are waived for that space:

- 1) Section 400.310(3), Doors, except minimum widths as noted in subsection (a)(5), below, and threshold heights;
- 2) Section 400.310(p), Storage;
- 3) Section 400.310(r), Controls and Operating Mechanisms, where not intended to be operated by the general public;
- 4) Section 400.310(t), Detectable Warnings; and
- 5) Section 400.310(u), Signage.

- c) Where access to any space in a historic building will be limited to controlled groups with assigned tour guides, or where a full-time door attendant or concierge is provided at the door within visual and audible communication range, there are no special requirements for door hardware or operation.

- d) Door hardware. The addition of adapter lever handles that retain the existing hardware will be considered to meet the Secretary of the Interior's Standards as they do not result in the removal of any historic features from the structure.

- e) Minimum clear door opening width for a single door or the single active leaf of a pair of doors shall meet the requirements of Section 400.310(j)(4). When the alteration of an existing historic door does not meet the Secretary of the Interior's Standards, a lesser dimension may be considered to be accessible if it provides the highest level of access within the limited dimensions available. (ADAAG 4.13.5) Examples of acceptable methods of providing improved access while maintaining the historic door include:

- 1) Maintain the door opening area free of any obstructions so that the clear opening can be measured with the door in a 180 degree position rather than the 90 degree position.
 - 2) Reverse the swing of the door.
 - 3) Remove or alter the side door stop(s).
 - 4) Replace the existing hinges with offset hinges.
- Example: The main entrance door on a 19th century structure used as a house museum is entered from a porch that is otherwise

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accessible, but the door is only 30 in. wide. Because the door, associated transom and surrounding trim are all significant features of the building, altering the opening and replacing the door does not meet the Secretary of the Interior's Standards. The installation of off-set hinges and the replacement of the door stops creates a clear opening of 29-1/2 in., but otherwise retains all of the historic features of the house. In these circumstances, the modified front entry door would be considered to be accessible.

- f) For paired doors where an individual leaf does not provide the minimum clear opening, the following options provide improved access:

- 1) Activating the second leaf; or
 - 2) Adding a power operator that activates both leaves.
- g) If it is determined that no entrance used by the public can comply with Section 400.310(k) without threatening or destroying the historic character of the building or facility, then access at any entrance not used by the general public, but open (unlocked) with directional signage at the primary entrance may be used. The accessible entrance shall also have a notification system. Where security is a problem, remote monitoring may be used. (ADAAG 4.1.7(3)(B) Exception)
- h) Accessible routes from an accessible entrance to all publicly used spaces on at least the level of the accessible entrance shall be provided. Access shall be provided to all levels of a building or facility in compliance with Section 400.310(a) whenever practical, and where such access would not threaten or destroy the historic character of the building or facility. (ADAAG 4.1.7(3)(d))
- i) Where the historic aspects of the building or facility would be destroyed, or so greatly altered as to have an adverse effect on a historic stair, the requirements of Section 400.310(f) are waived.

Section 400.630 Exemptions for Historic Preservation

- a) All buildings or parts of buildings exempted from applicability of the minimum requirements for new construction.
- b) All buildings or parts of buildings exempted from applicability of the minimum requirements for alterations.
- c) Existing privately owned multi-story housing units.
- d) Parts of the building that it would be technically infeasible to make conform to the strict requirements of the Code for new construction.

SUBPART H: STANDARDS FOR GOVERNMENT LEASING, RENTING
OR USE OF PUBLIC FACILITIES

Section 400.710 Standards for Government Leasing, Renting or Use of Public Facilities

Section 5 of the EBA states that no governmental unit may enter into a new or renewal agreement to lease, rent, or use, in whole or in part, any public

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facility which does not comply with this Code. Any governmental unit which, on the effective date of the EBA, is leasing, renting or using, in whole or in part, any public facility which does not comply with this Code shall make all reasonable efforts to terminate such lease, rental or use by January 1, 1990.







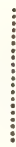

CAPITAL DEVELOPMENT BOARD

NOTICE OF ADOPTED RULES

Section 400.APPENDIX A Graphic Conventions and Figures

Section 400.ILLUSTRATION A Graphic Conventions

Graphic Conventions

Convention	Description
	Typical dimension line showing U.S. customary units (in inches) above the line and SI units (in millimeters) below
	Dimensions for short distances indicated on extended line
	Dimension line showing alternate dimensions required
	Direction of approach
	Maximum
	Minimum
	Boundary of clear floor area
	Centerline

Section 400.Illustration B, Figures 8(e)-8(h)

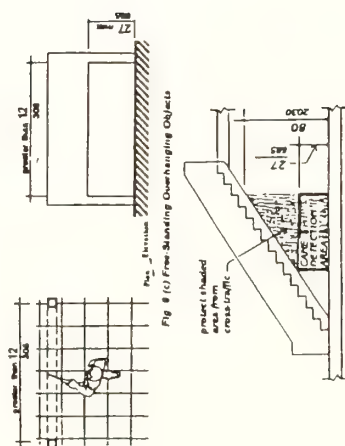


Fig. 8 (c) Overhead Islands

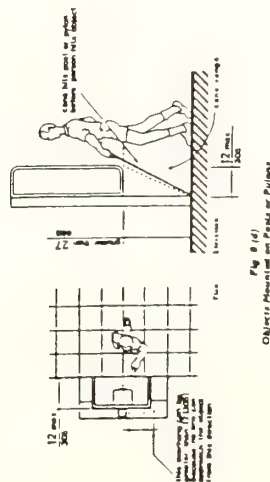


Fig. 8
Protruding Objects (Continued)

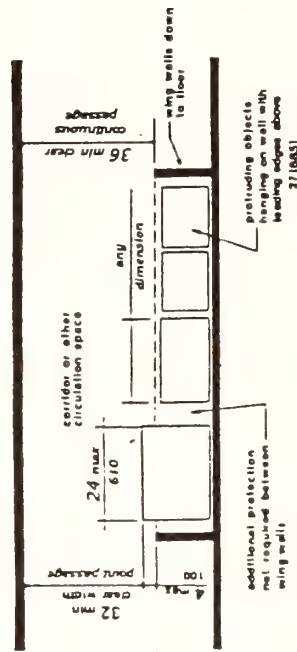


Fig. 8 (e)

Fig. 8 (f)
Carpet Pile Thickness

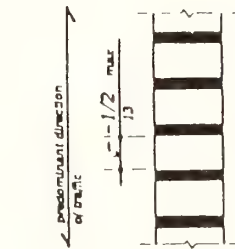


Fig. 8 (g)
Gratings

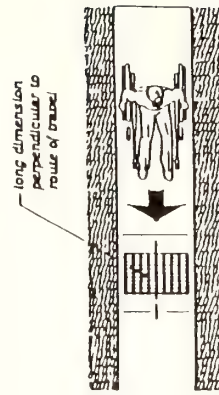
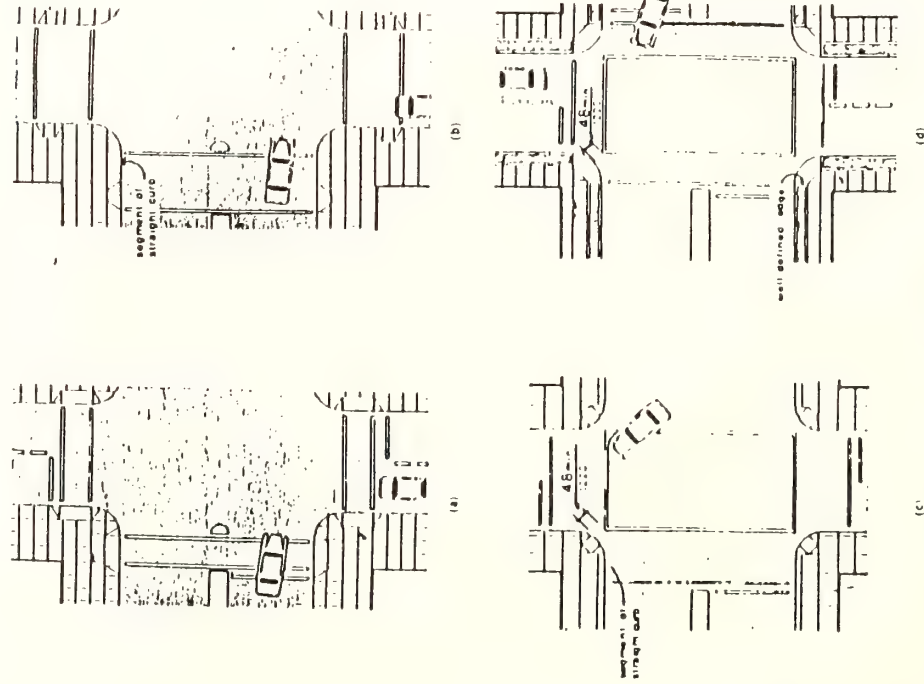


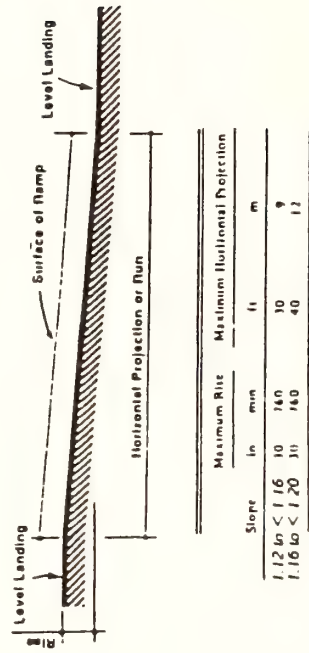
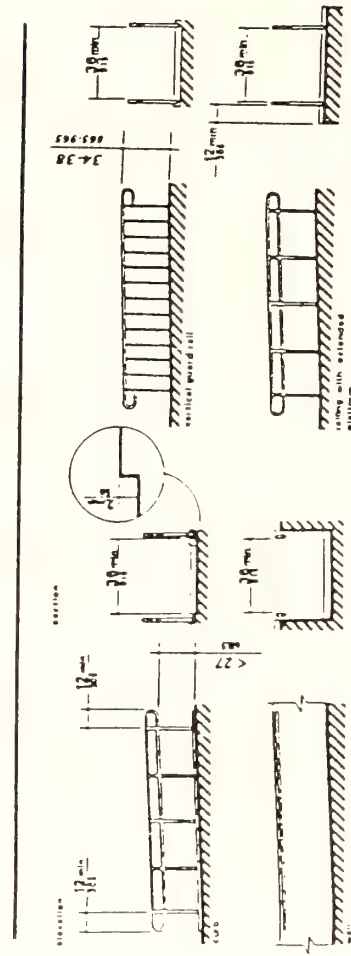
Fig. 8 (h)
Grating Orientation

Fig. 8
Protruding Objects

Section 400. Illustration B, Figure 15

FIG. 15
Curb Ramps at Marked Crossings

Section 400. Illustration B, Figures 16-17

Fig. 16
Components of a Single Ramp Run and Sample Ramp DimensionsFig. 17
Examples of Edge Protection and Handrail Extensions

Section 400.Illustration B, Figures 18-19

Section 400.Illustration B, Figures 20-21

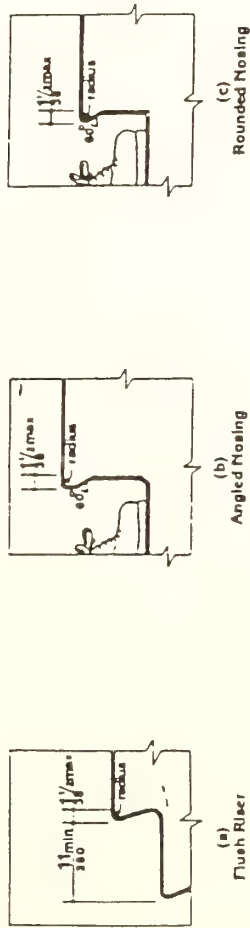


Fig. 18
Usable Tread Width and Examples of Acceptable Nosings

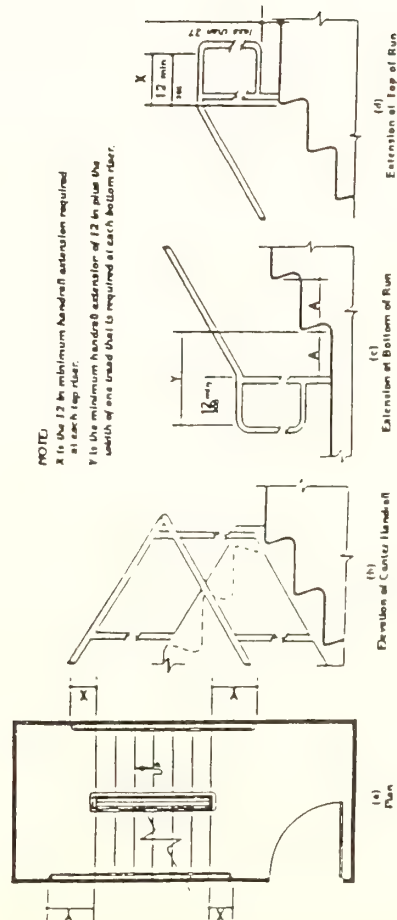
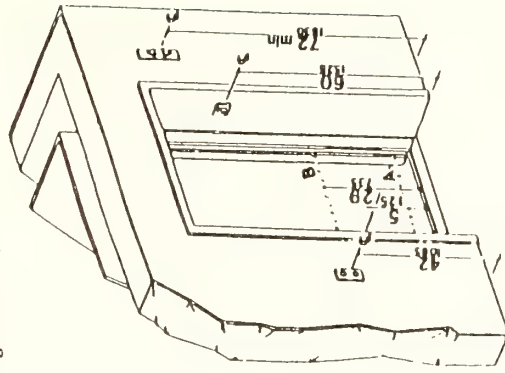


Fig. 19
Stair Handrails



NOTE: The standard door opening device is required if an opening is made through either line A or line B. Line A and line B represent the vertical locations of the door opening device not meeting entrance.

Fig. 20
Holway and Elevator Entrances

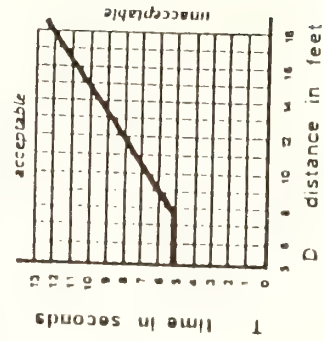


Fig. 21
Graph of Timing Equation

Section 400. Illustration B, Figures 22

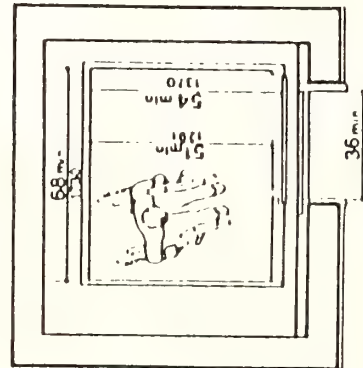
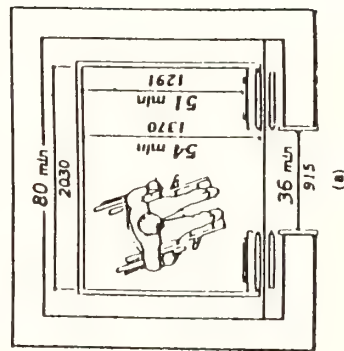


Fig. 22
Minimum Dimensions of Elevator Cars

Section 400. Illustration B, Figures 23

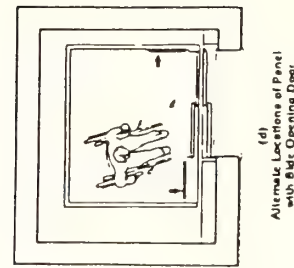
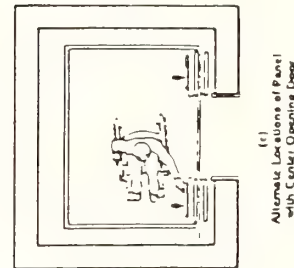
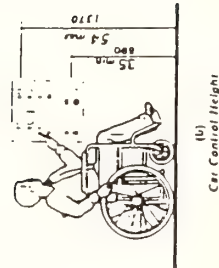
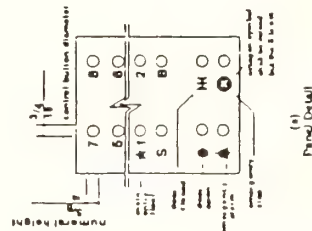


Fig. 23
Car Controls

Section 400.Illustration B, Figure 24

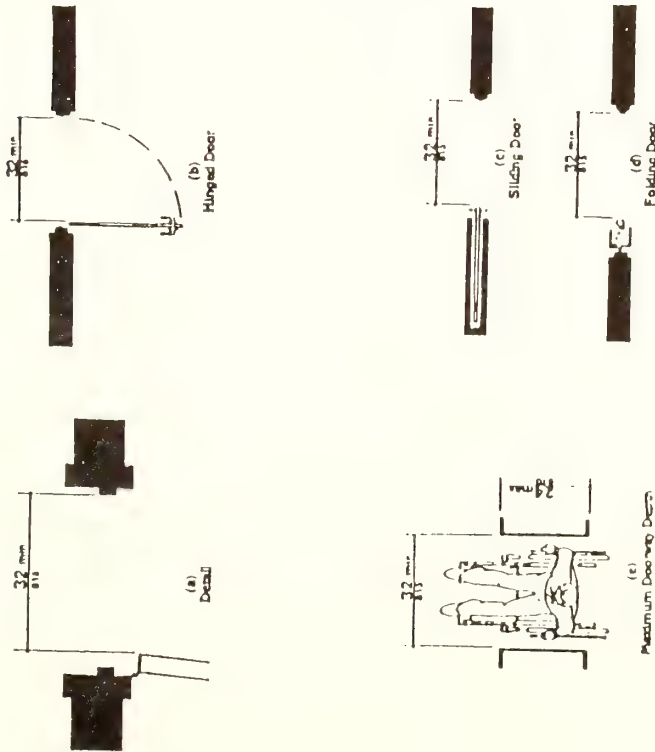
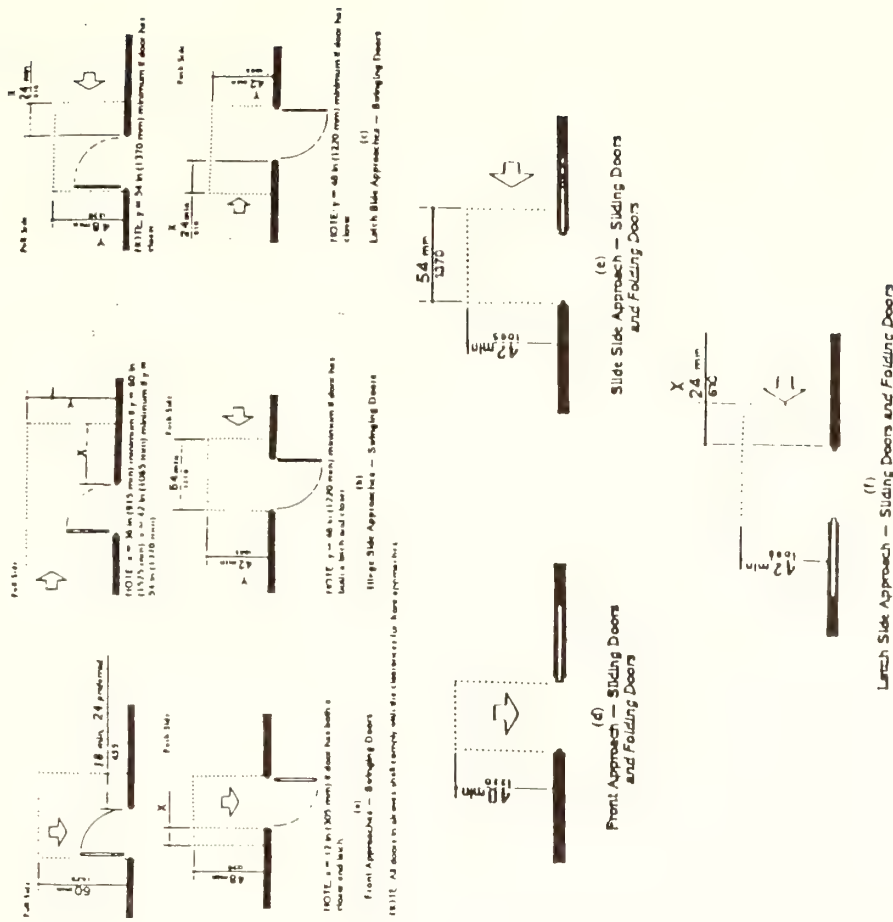


Fig. 24

Clear Doorway Width and Depth

Section 400.Illustration B, Figure 25



NOTE: All doors in alcoves shall comply with the clearances for front approaches.

Fig. 25

Maneuvering Clearances at Doors

CAPITAL DEVELOPMENT BOARD

NOTICE OF ADOPTED RULES

Section 400. Illustration B, Figure 26

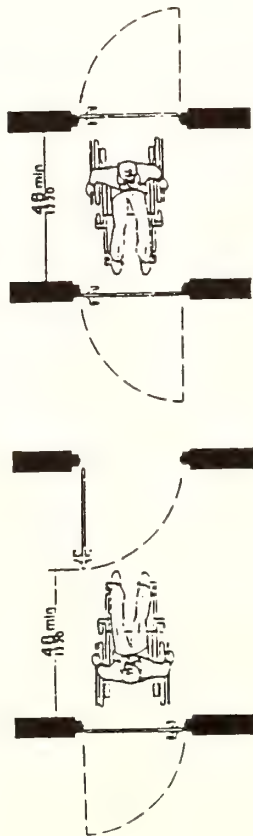


Fig. 26
Two Hinged Doors in Series

CAPITAL DEVELOPMENT BOARD

NOTICE OF ADOPTED RULES

Section 400. Illustration B, Figure 27

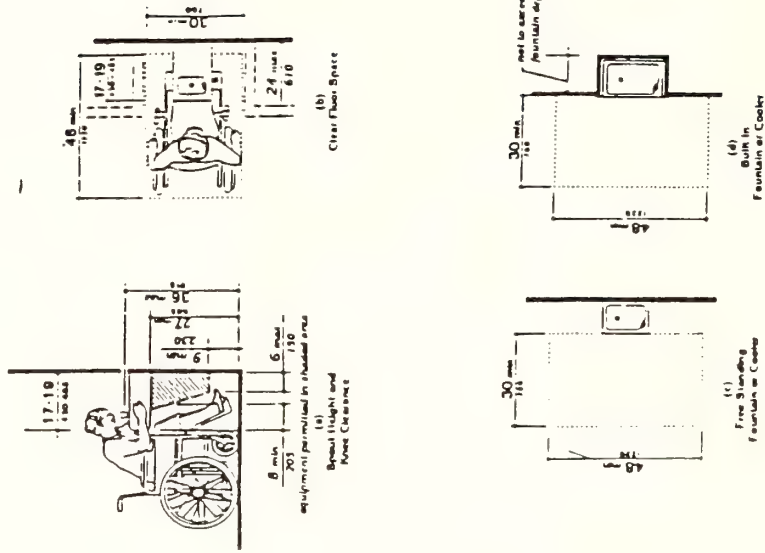


Fig. 27
Drinking Fountains and Water Coolers

Section 400.Illustration B, Figures 28-29

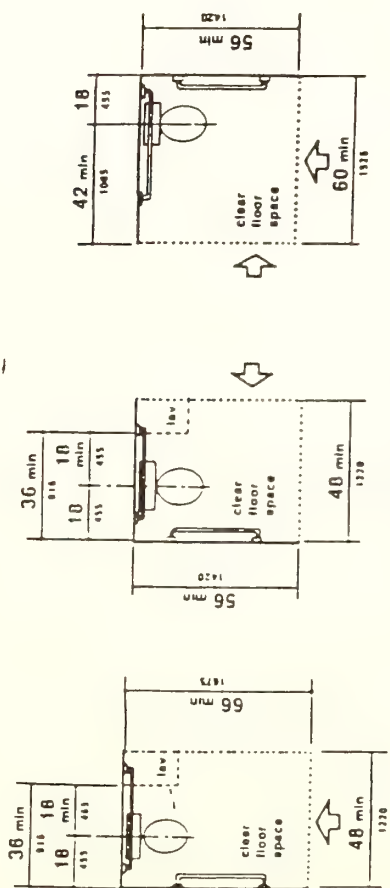


Fig. 28
Clear Floor Space at Water Closets

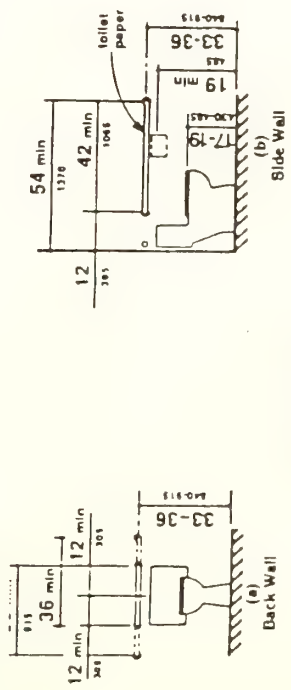


Fig. 29
Grab Bars at Water Closets

Section 400.Illustration B, Figure 30

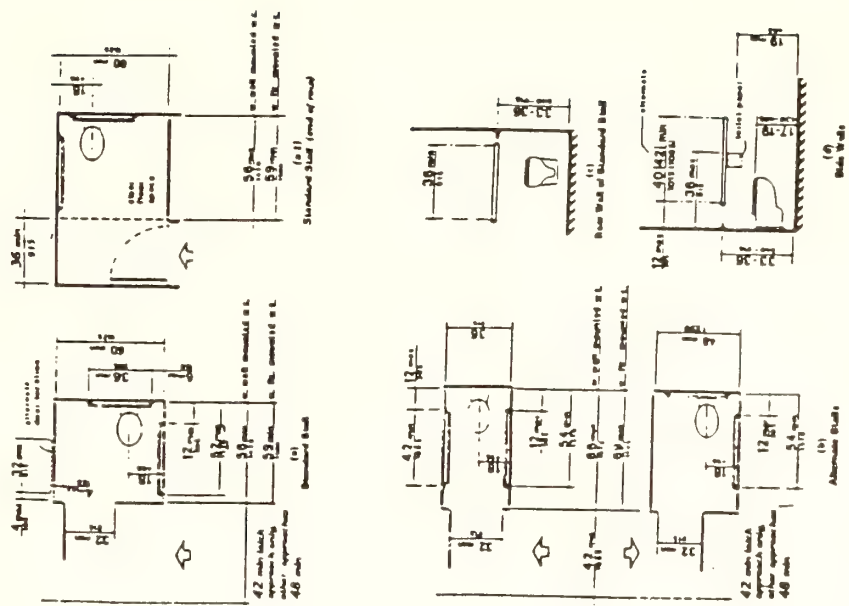


Fig. 30
Toilet Stalls

NOTICE OF ADOPTED RULES

NOTICE OF ADOPTED RULES

Section 400.Illustration B, Figures 31-32

Section 400. Illustration B, Figures 33-34

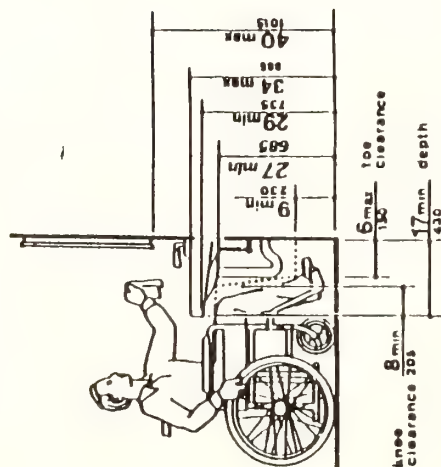


Fig. 31
Laryngeal Clearances

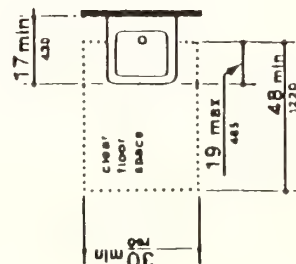


Fig. 32
Clear Floor Space at Lavatories

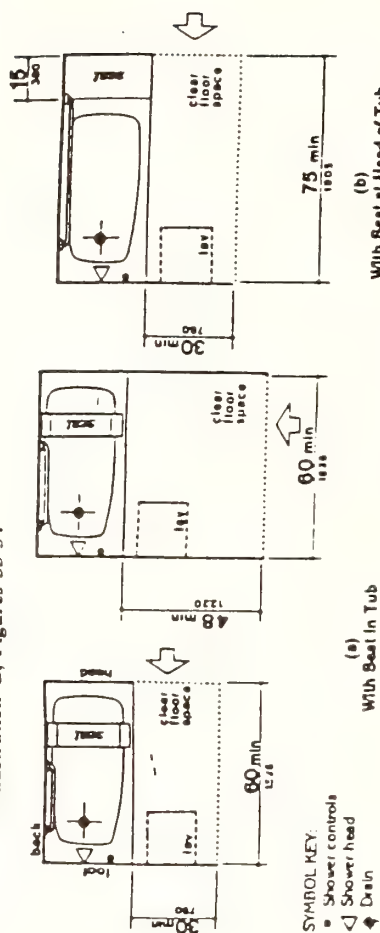
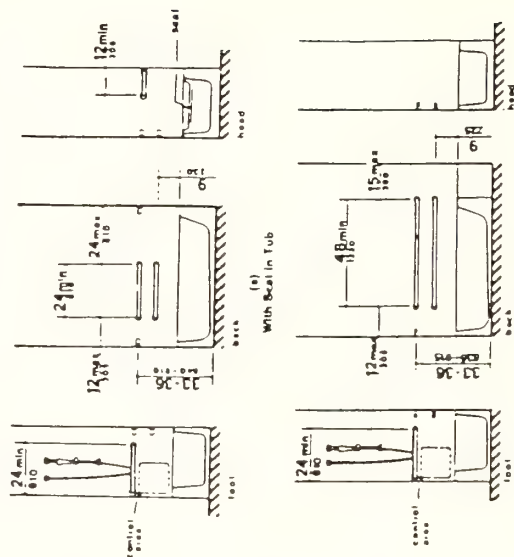


Fig. 33
Clear Floor Space at Bathtubs



(b)
With Seal at Head of Tub

Fig. 34

Fig. 34
Grab Bars at Bathtubs

Section 400.Illustration B, Figure 35-37

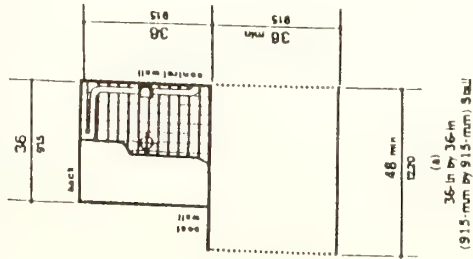


Fig. 35
Shower Size and Clearances

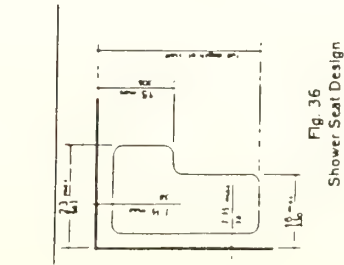


Fig. 36
Shower Seat Design

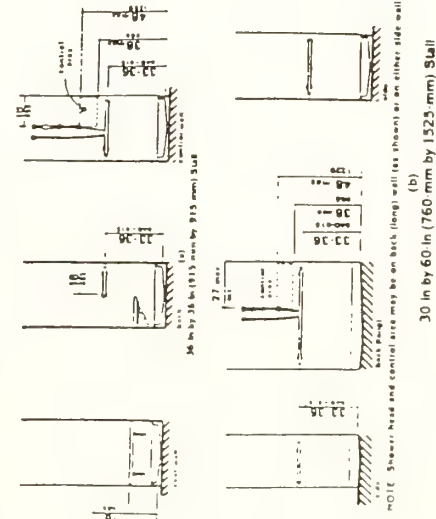


Fig. 37
Grab Bars at Shower Stalls

Section 400.Illustration B, Figure 38

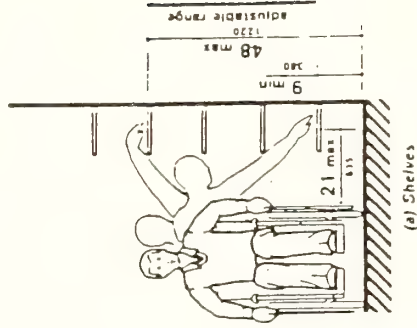


Fig. 38
Storage Shelves and Closets

Section 400.Illustration B, Figures 41-42



Fig 41
Detectable Warning at Stairs

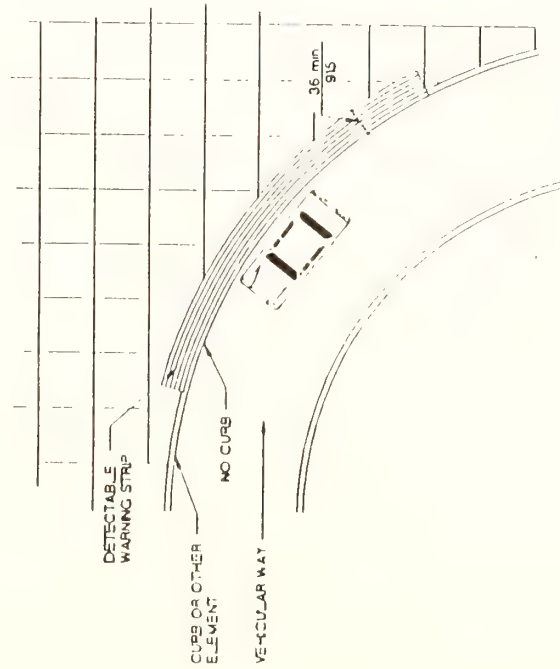


Fig 42
Detectable Warning at Hazardous Vehicular Areas

Section 400.Illustration B, Figure 43

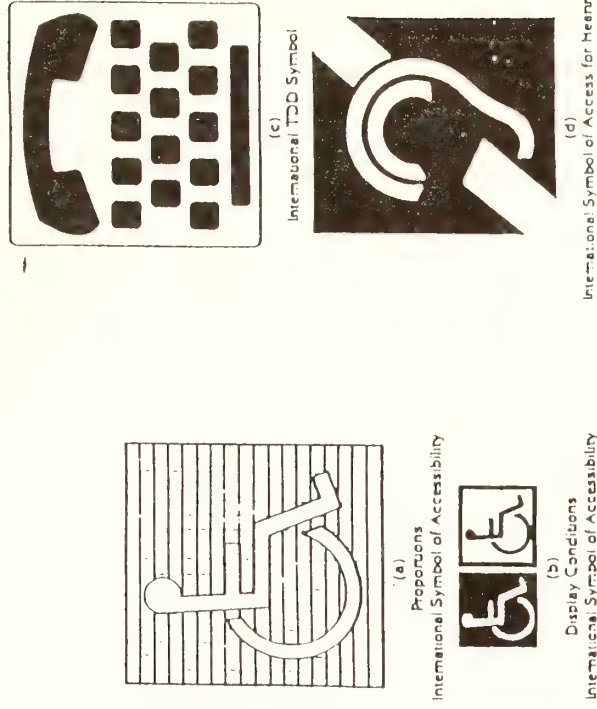


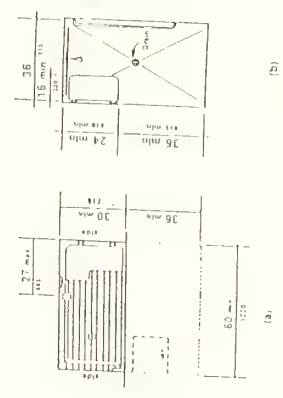
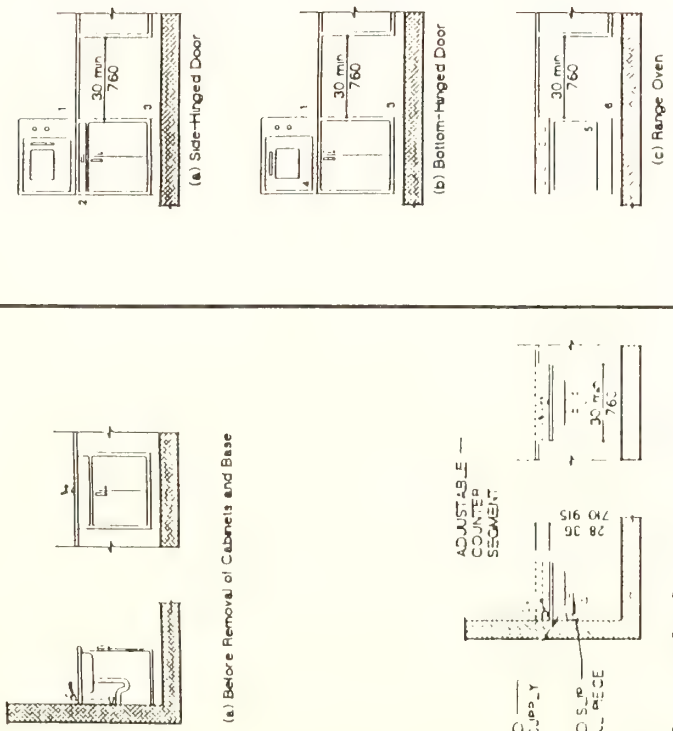
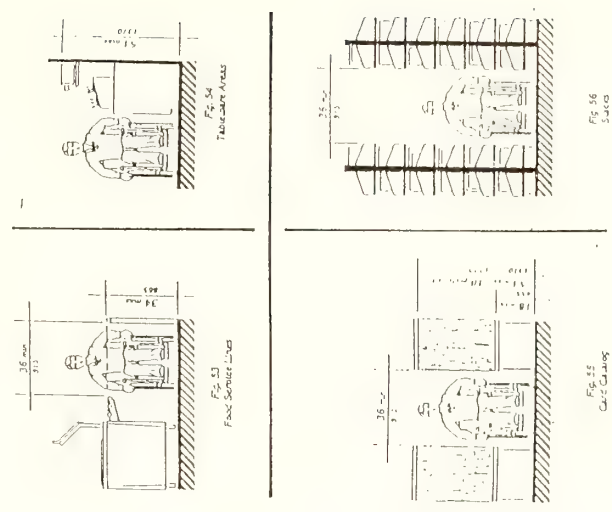
Fig 43
International Symbols

CAPITAL DEVELOPMENT BOARD
NOTICE OF ADOPTED RULES

CAPITAL DEVELOPMENT BOARD
NOTICE OF ADOPTED RULES

Section 400. Illustration B, Figures 53-56

Section 400. Illustration B, Figures 51-52



Section 400. Illustration B, Figure 57

Section 400. Illustration B, Figure 57

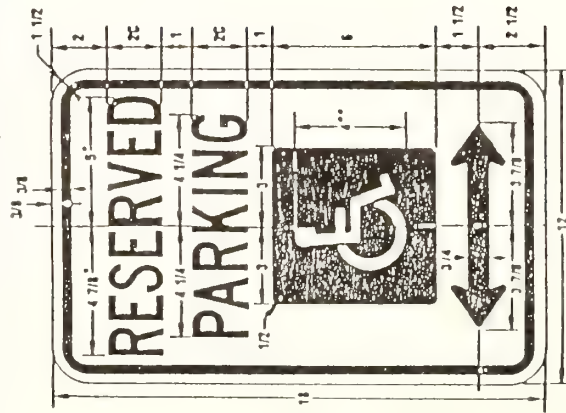
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CAPITAL DEVELOPMENT BOARD
NOTICE OF ADOPTED RULES

Section 400. ILLUSTRATION C "Parking" Sign

PARKING SIGN FOR SPACE DESIGNATED
FOR A PERSON WITH DISABILITIES

Effective January 1, 1985, amended Sec. 11-301 of "The Illinois Vehicle Code" to require parking signs (for parking lots subject to "The Illinois Vehicle Code") to comply with R 7-8 sign shown below (U.S. Department of Transportation standard). Existing signs may remain, but their useful lives shall not be extended by any means other than normal maintenance.



R7-8

DIMENSIONS (INCHES)

COLORS

LEGEND AND BORDER - GREEN
WHITE SYMBOL ON BLUE BACKGROUND
BACKGROUND - WHITE

REDUCE SPACING 50%

Sign R 7-8

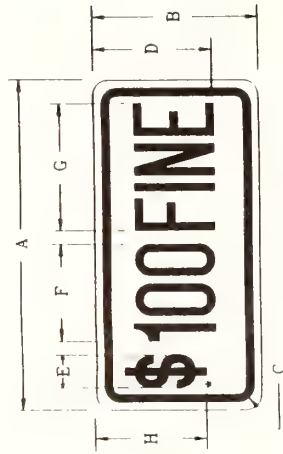
Note:

This is a standard sign and may be ordered from any traffic sign supplier by number. The arrow should be omitted where there is only one space. The arrow may also be made to point in only one direction. The arrow may also be replaced by "time" such as 9AM - 5PM where a part time restriction exists. The sign must be supplemented with the Illinois Standard R7-1101 plate giving the amount of the fine for illegally parking in the reserved space(s).

CAPITAL DEVELOPMENT BOARD
NOTICE OF ADOPTED RULES

Section 400. ILLUSTRATION D "\$100 Fine" Sign

ILLINOIS STANDARD
R7-I101



COLOR LEGEND AND BORDER GREEN NON-REFLECTORIZED
BACKGROUND WHITE REFLECTORIZED

SIGN SIZE	DIMENSIONS							
	A	B	C	D	E	F	G	H
6 X 12	12.0	6.0	1.5	4.5	1.15	3.4	4.6	4.0

SIGN SIZE	SERIES		MAP- GEN		BOR- DER		BLK STD.	
	3A	3A	0.37	0.37	0.37	0.37	B5-126	
6 X 12	3A	3A	0.37	0.37	0.37	0.37	B5-126	

All Dimensions in Inches
To be used with R7-8
*\$=Series 3A "s"

ILLINOIS COMMUNITY COLLEGE BOARD

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Administration of the Illinois Public Community College Act
- 2) Code Citation: 23 Ill. Adm. Code 1501
- 3) Section Numbers: Adopted Action:
 1501.102 amendment
 1501.402 amendment
 1501.501 amendment
 1501.507 amendment
 1501.519 new
 1501.520 new
 1501.604 amendment
 1501.608 amendment
- 4) Statutory Authority: 110 ILCS 805/2-7, 805/2-12, 805/2-16.02, 805/3-20.3.01, and 805/3-38.
- 5) Effective Date of Amendments: April 22, 1997
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do the Amendments contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: March 21, 1997
- 9) Notice of Proposal Published in Illinois Register: August 30, 1996, 20 Ill. Reg. 11527; November 8, 1996, 20 Ill. Reg. 14353; November 15, 1996, 20 Ill. Reg. 14674; November 22, 1996, 20 Ill. Reg. 14964; and December 2, 1996, 20 Ill. Reg. 15130.
- 10) Has JCAR issued a Statement of Objections to the Amendments? No
- 11) Differences between proposal and final version: Several minor formatting changes were made.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will the Amendment replace an emergency rule currently in effect? No
- 14) Are there any Amendments pending on this Part? No

15) Summary and Purpose of Amendment: The amendments to the ICCB rules regarding the ICCB Student Advisory Committee clarify the membership and voting eligibility of the committee, simplify the appointment process, and increase student involvement and input on policy issues. The amendments to change the ICCB policy on funding of dual enrollment courses allows

ILLINOIS COMMUNITY COLLEGE BOARD

NOTICE OF ADOPTED AMENDMENTS

ICCB funding for courses that meet the "Guidelines for Community College Courses Offered in Secondary Schools." In the fiscal year 1997, ICCB system operating budget includes funding for three special initiatives grants: the education-to-careers special initiatives of the workforce preparation grant, the student support services special initiatives of the workforce preparation grant, and the technology support special initiatives of the advanced technology grant. To enhance the administration of these special initiatives grants, the ICCB established new rules. The ICCB also needed new rules to determine eligibility for the Lincoln's Challenge Program, that is a special appropriation received by the ICCB from the Governor and General Assembly. Protection, health, and safety funds can currently only be used for leased facilities when the lease period is for more than five years with a stated intent to acquire the leased property. This rule is particularly restrictive to districts that have assumed the obligation to make alterations or repairs to leased facilities, but do not have the intent to acquire them. This rule change will provide districts with leased facilities more latitude in funding alterations or repairs.

- 16) Information and questions regarding these adopted amendments shall be directed to:

Jill A. O'Shea
 Director for Governmental Relations
 Illinois Community College Board
 509 South Sixth Street, Suite 400
 Springfield, Illinois 62701-1874
 (217) 785-0213

The full text of the Adopted Amendments begins on the next page:

ILLINOIS COMMUNITY COLLEGE BOARD

NOTICE OF ADOPTED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER VII: ILLINOIS COMMUNITY COLLEGE BOARD

PART 1501

ADMINISTRATION OF THE ILLINOIS PUBLIC COMMUNITY COLLEGE ACT

SUBPART A: ILLINOIS COMMUNITY COLLEGE BOARD ADMINISTRATION

Section	
1501.101	Definition of Terms
1501.102	Advisory Groups
1501.103	Rule Adoption (Recodified)
1501.104	Manuals
1501.105	Advisory Opinions
1501.106	Executive Director
1501.107	Information Request (Recodified)
1501.108	Organization of ICCB (Recodified)
1501.109	Appearance at ICCB Meetings
1501.110	Appeal Procedure
1501.111	Reporting Requirements (Repealed)
1501.112	Certification of Organization (Repealed)
1501.113	Administration of Detachments and Subsequent Annexations
1501.114	Recognition

SUBPART B: LOCAL DISTRICT ADMINISTRATION

Section	
1501.201	Reporting Requirements
1501.202	Certification of Organization
1501.203	Delineation of Responsibilities
1501.204	Maintenance of Documents or Information
1501.205	Recognition Standards (Repealed)

SUBPART C: PROGRAMS

Section	
1501.301	Definition of Terms
1501.302	Units of Instruction, Research, and Public Service
1501.303	Program Requirements
1501.304	Statewide and Regional Planning
1501.305	College, Branch, Campus, and Extension Centers
1501.306	State or Federal Institutions (Repealed)
1501.307	Cooperative Agreements and Contracts
1501.308	Reporting Requirements
1501.309	Course Classification and Applicability

SUBPART D: STUDENTS

ILLINOIS COMMUNITY COLLEGE BOARD

NOTICE OF ADOPTED AMENDMENTS

Section	
1501.401	Definition of Terms
1501.402	Admission of Students
1501.403	Student Services
1501.404	Academic Records
1501.405	Student Evaluation
1501.406	Reporting Requirements

SUBPART E: FINANCE

Section	
1501.501	Definition of Terms
1501.502	Financial Planning
1501.503	Audits
1501.504	Budgets
1501.505	Nonresident Student Tuition Calculations
1501.506	Published Financial Statements
1501.507	Credit Hour Grants
1501.508	Special Populations Grants
1501.509	Workforce Preparation Grants
1501.510	Reporting Requirements
1501.511	Chart of Accounts
1501.514	Business Assistance Grants (Repealed)
1501.515	Advanced Technology Equipment Grants
1501.516	Capital Renewal Grants
1501.517	Retirees Health Insurance Grants
1501.518	Uncollectible Debts

SUBPART F: CAPITAL PROJECTS

Section	
1501.601	Definition of Terms
1501.602	Approval of Capital Projects
1501.603	State Funded Capital Projects
1501.604	Locally Funded Capital Projects
1501.605	Project Changes
1501.606	Progress Reports (Repealed)
1501.607	Reporting Requirements
1501.608	Approval of Projects in Section 3-20.3.01 of the Act
1501.609	Completion of Projects Under Section 3-20.3.01 of the Act
1501.610	Demolition of Facilities

SUBPART G: STATE COMMUNITY COLLEGE

Section	
1501.701	Definitions of Terms
1501.702	Applicability
1501.703	Recognition

ILLINOIS COMMUNITY COLLEGE BOARD

NOTICE OF ADOPTED AMENDMENTS

1501.704 Programs
 1501.705 Finance
 1501.706 Personnel
 1501.707 Facilities

SUBPART H: PERSONNEL

Section
 1501.801 Definition of Terms
 1501.802 Sabbatical Leaves

AUTHORITY: Implementing and authorized by Articles II and III and Section 6-5.3 of the Public Community College Act [110 ILCS 805/Arts. II and III and 6-5.3].

SOURCE: Adopted at 6 Ill. Reg. 14262, effective November 3, 1982; codified at 7 Ill. Reg. 2332; amended at 7 Ill. Reg. 16118, effective November 22, 1983; Sections 1501.103, 1501.107 and 1501.108 recodified to 2 Ill. Adm. Code 5175 at 8 Ill. Reg. 6032; amended at 8 Ill. Reg. 14262, effective July 25, 1984; amended at 8 Ill. Reg. 19383, effective September 28, 1984; emergency amendment at 8 Ill. Reg. 22603, effective November 7, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 24299, effective December 5, 1984, for a maximum of 150 days; amended at 9 Ill. Reg. 3691, effective March 13, 1985; amended at 9 Ill. Reg. 9470, effective June 11, 1985; amended at 9 Ill. Reg. 16813, effective October 21, 1985; amended at 10 Ill. Reg. 3612, effective January 31, 1986; amended at 10 Ill. Reg. 14658, effective August 22, 1986; amended at 11 Ill. Reg. 7606, effective April 8, 1987; amended at 11 Ill. Reg. 18150, effective October 27, 1987; amended at 12 Ill. Reg. 6660, effective March 25, 1988; amended at 12 Ill. Reg. 15973, effective September 23, 1988; Reg. 19691, effective November 15, 1988; amended at 13 Ill. Reg. 1182, effective January 13, 1989; amended at 13 Ill. Reg. 14904, effective September 12, 1989; emergency amendment at 14 Ill. Reg. 299, effective November 9, 1989, for a maximum of 150 days; emergency amendment expired on April 9, 1990; amended at 14 Ill. Reg. 4126, effective March 1, 1990; amended at 14 Ill. Reg. 10762, effective June 25, 1990; amended at 14 Ill. Reg. 11771, effective July 9, 1990; amended at 14 Ill. Reg. 13997, effective August 20, 1990; expedited correction at 18 Ill. Reg. 3027, effective August 20, 1990; amended at 15 Ill. Reg. 10929, effective July 11, 1991; amended at 16 Ill. Reg. 12445, effective July 24, 1992; amended at 16 Ill. Reg. 17621, effective November 6, 1992; amended at 17 Ill. Reg. 1853, effective February 2, 1993; amended at 18 Ill. Reg. 4635, effective March 9, 1994; amended at 18 Ill. Reg. 8906, effective June 1, 1994; amended at 19 Ill. Reg. 2299, effective February 14, 1995; amended at 19 Ill. Reg. 2816, effective February 21, 1995; amended at 19 Ill. Reg. 7515, effective May 26, 1995; amended at 21 Ill. Reg. 5891, effective APR 22 1996.

SUBPART A: ILLINOIS COMMUNITY COLLEGE BOARD ADMINISTRATION

ILLINOIS COMMUNITY COLLEGE BOARD

NOTICE OF ADOPTED AMENDMENTS

Section 1501.102 Advisory Groups

a) **Advisory Organizations.** Independent organizations may be considered by the ICCB to be advisory upon petition to the State Board. Independent organizations so recognized by the ICCB as "advisory" will have the opportunity to bring matters before the ICCB during each regular ICCB meeting and will have an opportunity to provide advice to the ICCB on proposed rule and policy adoptions and matters of interest to community colleges. An advisory organization may have its recognition status withdrawn by action of the ICCB or by request of the organization. Advisory organization recognition may be granted by the ICCB at the request of an organization which meets the following criteria:

- 1) The organization exists independently of the ICCB and any individual college;
 - 2) A primary purpose of the organization is to deal with matters of systemwide importance; and
 - 3) Representatives of Illinois community college districts are included as voting members of the organization.
- b) **Advisory Committees -- Standing.** Standing advisory committees to the ICCB will be authorized and appointed by the ICCB. Membership and terms of appointment shall be established at the time of authorization.
- c) **Advisory Committee -- Ad Hoc.** The Executive Director is authorized to appoint ad hoc advisory committees to advise the ICCB staff on specific projects. The terms of appointment shall be for one (1) year or less.
- d) **Student Advisory Committee**
- 1) Purpose. The purposes of this committee are to:
 - A) Review proposed ICCB policies.
 - B) Inform the ICCB of systemwide issues that impact the education of community college students.
 - C) Select the ICCB Student Member.
 - 2) **Membership.** Each member of the Student Advisory Committee shall be the nonvoting student member of the local district board of trustees or a designee student designated by the district's chief executive officer if the non-voting student member is unable to serve. The ICCB Student Member will serve ex officio.
 - 3) **Appointment.** ~~---SAG---members---shall---be---appointed---each---year---by---the---ICCB---from---nominees---submitted---by---the---local---district---boards---of---trustees---~~
 - 4) **Length.** ~~of---Term---SAG---members---shall---serve---a---term---of---one---year---beginning---on---July---1---of---each---year---and---expiring---on---the---next---succeeding---June---30---~~
 - 3)5) **Officers Chairman.** The Student Advisory Committee SAG shall annually select the following officers from its membership to serve a one-year term: a Chair to conduct the meeting of the Committee; a Vice Chair to assist the Chair, to conduct the

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meeting if the Chair is absent, and to represent the SAC on the IBHE Student Advisory Committee; and a Recording Officer to record the minutes of all SAC meetings. ~~Chairman-at-the-first meeting-by-a-majority-vote-of-members-present;--if--the--Chairman is--absent--from--any--meeting--the-membership--shall--select-a Chairman--from--by-a-majority-vote--of--members--present;--the Chairman--shall--preside--at--all--meetings--of--SAC;--The--Chairman's duty--will--be--to--assist--the--SAC--in--achieving--its--purpose--as--stated in--subsection--(d)(1)--above.~~

4) SAC shall elect one representative from its membership annually to serve one-year terms on each of the ICCB advisory committees (Program, Finance, Legislative, and MIS/Research) by a majority vote of members present.

5) The Executive Director of the ICCB shall call SAC meetings at least once each quarter and notify each local district board of trustees at least 30 days in advance.

6) Reimbursement. Reimbursement for actual and necessary meeting expenses of SAC members will be in accordance with Section 2-7 of the Act.

7) ICCB Meetings. The SAC report shall be given at regular ICCB meetings

e) Selection of ICCB Student Member. The SAC will seek nominations ~~applications~~ for the ICCB Student Member from all Illinois public community colleges. Each college district can nominate one candidate for this position. The nomination ~~application~~ shall include information such as personal information (name and address), number of credit hours (current and expected), college and community activities, resume, letters of reference, and rationale for desiring the position. The ICCB Student Member shall be elected before June 1 by a majority vote of SAC members present from all nominations ~~applicants~~ who meet ICCB student membership requirements as delineated in subsection (f) below.

f) Membership Requirements of ICCB Student Member. The ICCB Student Member shall be enrolled in an Illinois public community college for a minimum course load of six (6) semester or quarter credit hours during both the fall and spring semesters (fall/winter/spring quarters) for each term of his/her appointment. If the course load of the ICCB Student Member falls below the minimum credit hours, that member shall be replaced by a majority vote of the SAC members present at the next SAC meeting.

g) Length of Term of ICCB Student Member. The ICCB Student Member shall serve for a term of one (1) year beginning on July 1 and expiring on June 30. No ICCB Student Member shall serve for more than two terms. Service during a partial term shall not be considered as one term.

(Source: Amended at 21 Ill. Reg. 5891, effective APR 2 1994)

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SUBPART D: STUDENTS

Section 1501.402 Admission of Students

a) Students Whose Connection With a Secondary School is Severed. Any student who is 16 or 17 years of age and has severed connection with a secondary school, as certified in writing by the chief executive officer of the secondary school in which the student has legal residence, is eligible to attend a college in accordance with policies of the Board. Courses taken by such students are eligible for ICCB grants.

b) Students Currently Enrolled in a Secondary School Program. Students currently enrolled in a secondary school program may be accepted into a college course(s). If such courses are offered during the regular school day established by the secondary school or are offered for secondary school credit, prior approval of the chief executive officer of the secondary school must be received. ~~The--credits--from--such college--courses--may--not--receive--both--State--Board--of--Education--and--ICCB grants.~~

c) Admission of Students in Programs for Special Groups. Students shall be admitted to instructional programs supported by State state funds for which they are otherwise qualified without regard to race, religion, sex, ethnic origin, or membership in any profession, group, organization, or association.

1) Designating Specific Sections. Course enrollments shall be open to those individuals identified in this subsection (c) Section 1501.402(c)-above. However, the nature of the instructional unit may make it desirable to offer specific sections for students with certain common backgrounds, experiences, and future aspirations.

2) Organizations' Standards Not Applicable. While it is recognized that certain organizations, groups, fraternities, and associations have standards which must be met to become employed in a particular field, such standards shall not be applicable to the continuing participation of students in college courses receiving ICCB grants.

(Source: Amended at 21 Ill. Reg. 5891, effective APR 2 1994)

SUBPART E: FINANCE

Section 1501.501 Definition of Terms

Advanced Technology Equipment Grant. The advanced technology equipment grant provides state funds to Illinois public community colleges for the procurement of equipment necessary to upgrade curricula impacted by technological changes. (See Section 2-16 of the

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Act.)

Annual Financial Statement. The "annual financial statement," which is required to be published by a district, consists of two parts:

an annual financial report, which includes a statement of revenues and expenditures along with other basic financial data; and

an annual program report, which provides a narrative description of programs offered, goals of the district, and student and staff data.

Attendance at Mid-Term. A student is "in attendance at mid-term" in a course if the student is currently enrolled in and actively pursuing completion of the course.

Auditor. An auditor is a person who enrolls in a class without intent to obtain academic credit and whose status as an auditor is declared by the student, approved by college officials, and identified on college records prior to the end-of-registration date of the college for that particular term.

Business Assistance Centers and Workforce Preparation Offices. Business assistance centers and workforce preparation offices are entities at community colleges that conduct, coordinate, and assist with workforce preparation activities.

Capital Renewal Grants. Capital renewal grants are state grants allocated proportionally to each community college district based on the latest fall on-campus nonresidential gross square feet of facilities as certified by the ICCB. Such grants are to be utilized for miscellaneous capital improvements such as rehabilitation, remodeling, improvement, and repair; architect/engineer services; supplies, fixed equipment, and materials; and all other expenses required to complete the work.

Lincoln's Challenge Scholarship Grants." The Lincoln's Challenge Program is administered by the Illinois Department of Military Affairs. Upon successful completion of that program, student's qualify for a scholarship to a community college. The Lincoln's Challenge Scholarship Grant is a special appropriation received by the ICCB from the Governor and the General Assembly. These scholarships provide an opportunity for graduates of Lincoln's Challenge to transition easily into higher education by attending one of the 49 public community colleges in the State. The scholarship grants can be used to cover the cost of education that includes tuition, books, fees and required educational supplies.

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Residency - Applicability-Verification of Status. As part of verification that its credit hours are eligible to receive ICCB grants, each community college district shall adopt a process for verifying the residency status of its students and shall file a description of this process with the ICCB by July 1, 1990. The process shall include the methods for verifying residency as defined in the general provisions, special state provisions, and district provisions of this subsection. Each district shall file descriptions of any revisions to its process with the ICCB prior to their implementation.

Residency - General Provisions. The following provisions apply both to state and district residency definitions:

To be classified as a resident of the State of Illinois or of the community college district, each student shall have occupied a dwelling within the state or district for at least 30 days immediately prior to the date established by the district for classes to begin.

The district shall maintain documentation verifying state or district residency of students.

Students occupying a dwelling in the state or district who fail to meet the 30-day residency requirement may not become residents simply by attending classes at a community college for 30 days or more.

Students who move from outside the state or district and who obtain residence in the state or district for reasons other than attending the community college shall be exempt from the 30-day requirement if they demonstrate through documentation a verifiable interest in establishing permanent residency.

Residency - District Provisions. Students shall not be classified as residents of the district where attending even though they may have met the general 30-day residency provision if they are:

federal job corps workers stationed in the district;

inmates of state or federal correctional/rehabilitation institutions located in the district;

full-time students attending a postsecondary educational institution in the district who have not demonstrated through documentation a verifiable interest in establishing permanent residency; and

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students attending under the provisions of a chargeback or contractual agreement with another community college.

Residency - Special State Provisions. Students shall be classified as residents of the state without meeting the general 30-day residency provision if they are:

federal job corps workers stationed in Illinois;

members of the armed services stationed in Illinois;

inmates of state correctional/rehabilitation institutions located in Illinois; or

employed full time in Illinois.

Special Initiatives Grants. Special initiatives grants provide funds for conducting special initiatives activities.

Special Initiatives Activities. Special initiatives activities are based upon criteria as specified in the special initiatives contract which is executed each year with each district. As special initiatives change, the scope of activities specified in the contracts will also change.

Special Populations Grant. A "special populations grant" provides funding for:

Special or extra services to assist special populations students to initiate, continue, or resume their education, including tutoring, educational and career counseling, referrals to external agencies, and testing/evaluation to determine courses or services needed by a special populations student.

Courses (not funded through credit hour grants) to provide the academic skills necessary to remedy or correct educational deficiencies to allow the attainment of educational goals, including remedial, adult basic education, adult secondary education, and English as a Second Language courses.

Special Populations Student. A "special populations student" is a student with a social, physical, developmental, or academic disability that makes it difficult for such a student to adapt to a college environment designed for the nonspecial populations student. This may include students from minority racial/ethnic groups. Colleges shall designate which of their students are special populations as determined by teacher and counselor evaluations and various standardized tests selected by the colleges.

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Workforce Preparation Activities. Workforce preparation activities create or retain jobs and increase employment opportunities.

Workforce Preparation Grants. Workforce preparation grants provide funds for conducting workforce preparation activities.

(Source: Amended at 21 Ill. Reg. 5891, effective APR 2 1993)

Section 1501.507 Credit Hour Grants

a) Claims. Claims for credit hours shall be submitted within thirty--t 30+ days after the end of each term on forms provided by the ICCB.

b) Course Requirements. Courses which produce credit hours eligible for ICCB grants shall satisfy the following requirements:

- 1) Courses shall be offered for the number of credit hours for which they are approved by the ICCB.
- 2) Courses which have variable credit hours shall be claimed in specified increments only up to the maximum credit value approved for the course.
- 3) Course data shall be posted to the permanent academic record of each student claimed.
- 4) Courses shall be a part of units of instruction which have been approved by the ICCB, or the courses must be authorized extensions of existing units of instruction.
- 5) Courses shall have specific written objectives.
- 6) A course outline shall be available for review by any student or citizen.

7) Courses shall have a method of evaluating student performance which follows the adopted college grading system.

8) Courses shall follow the adopted college policies on student tuition.

9) The following categories of physical education courses shall be the only ones to produce eligible credit hours:

- A) Elective physical education courses;
- B) Required courses for majors and minors in physical education, recreational leadership, and related programs;
- C) Physical education courses in teacher education programs as required by the State Teachers Certification Board.

10) Courses shall produce a maximum rate of one (1) semester credit hour or equivalent per week. Requests for exceptions to this requirement part may be submitted to the ICCB. The criteria utilized by the ICCB for exceptions shall include:

- A) documentation of need for an intensified or accelerated schedule;
- B) student population identified with testing and/or screening to indicate special needs and/or competencies;
- C) how courses are instructed, including schedule of classes,

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study time allotted for students, method of instruction and how students are evaluated;

- D) time period of instructional activity and projected termination date;
- E) procedures to evaluate the accelerated instructional activity.

11) Courses offered by the college for high school students during the regular school day at the secondary school shall be college-level and shall meet the following requirements:

A) State Laws and Regulations and Accreditation Standards. All State laws, ICCB regulations, accreditation standards specified by the North Central Association, and local college policies that apply to courses, instructional procedures and academic standards at the college apply to college-level courses offered by the college on campus, at off-campus sites, and at secondary schools. These policies, regulations, instructional procedures and academic standards apply to students, faculty and staff associated with these courses.

B) Instructors. The instructors for these courses shall be selected, employed and evaluated by the community college. They shall be selected from full-time faculty and/or from adjunct faculty with appropriate credentials and demonstrated teaching competencies at the college level.

C) Qualification of Students. Students accepted for enrollment in college-level courses must have appropriate academic qualifications, a high level of motivation and adequate time to devote to studying a college-level course. The students' course selections shall be made in consultation with high school counselors and/or principals and ordinarily are restricted to students in the junior and senior years of high school. The students shall meet all college criteria and follow all college procedures for enrolling in courses.

D) Placement Testing and Prerequisites. Students enrolling in college-level courses must satisfy course placement tests or course prerequisites when applicable to assure that they have the same qualifications and preparation as other college students.

E) Course Offerings. Courses shall be selected from transfer courses that have been articulated with senior institutions in Illinois or from the first-year courses in ICCB approved associate in applied science degree programs.

F) Course Requirements. The course outlines utilized for these courses shall be the same as for courses offered on campus and at other off-campus sites and shall contain the content articulated with colleges and universities in the State. Course prerequisites, descriptions, outlines, requirements, learning outcomes and methods of evaluating students shall

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be the same as for on-campus offerings.

G) Concurrent Credit. The determination of whether a college course is offered for concurrent high school and college credit shall be made at the secondary level, according to the school's policies and practices of the district.

c) Student Requirements. The following requirements shall apply to students who generate credit hours eligible for ICCB grants:

1) Students shall be certified by their instructors as being in attendance at mid-term by including a certification statement on the mid-term class roster, signed and dated by the instructor.

2) Students who complete a course with a passing grade by the end of the term and who were not certified as being in attendance at mid-term by the instructor shall be considered as having been in attendance at mid-term.

3) Students enrolled in variable entry/variable exit classes or short-term classes of less than eight weeks may be certified by their instructors as having been in attendance at mid-term by including a certification statement on the final class roster, signed and dated by the instructor.

4) Students shall be residents of the State of Illinois.

5) Auditors or visitors in a course shall not produce eligible credit hours.

6) Students who repeat enrollment in a course shall produce credit hours eligible for ICCB grants when one of the following conditions is met:

A) If the student completed the course the first time of enrollment with less than a grade of C (or equivalent) and if the student was claimed for credit hour grant funding, the student may enroll and be claimed in the course one additional time, or additional time, or

B) If the student enrolled in the course previously and withdrew before completing the course, and if the student was claimed for credit hour grant funding, the student may enroll and be claimed in the course one additional time, or C) If a student completed the course previously and was claimed for credit hour grant funding, the student may be claimed for retaking the course if the student uses his/her option to retake the course tuition free under the college's educational guarantee program, or

D) If the last time the student completed the course was at least four years previously, the student may be claimed for credit hour grant funding if the student repeats the course to upgrade his/her skills in that area, or

E) If a course has been approved by the ICCB to be repeated, the student may repeat the course and be claimed as often as approved by the ICCB.

d) Exceptions. The following credits will not be eligible for ICCB credit hour grants:

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- 1) Credit by examination;
- 2) Military service credit for physical education;
- 3) Transfer of credit earned at other institutions or in the armed forces;
- 4) Proficiency examinations;
- 5) Advanced placement credits;
- 6) Other methods of program acceleration which do not include instruction.

(Source: Amended at 21 Ill. Reg. 5891, effective
APR 22 1997)

Section 1501.519 Special Initiatives Grants

- a) Special initiatives grants shall be allocated to each Illinois public community college district in accordance with Section 2-16.02 of the Act.
- b) Special initiatives grant funds shall be accounted for in a set of self-balancing accounts within the Restricted Purposes Fund (see Section 1501.511(a)(2)).
- c) Allowable expenditures for special initiatives grants will be specified in a contract which will be executed with each Illinois public community college district eligible to receive the special initiatives grant funds.
- d) By August 1 following the end of the fiscal year, the community college district shall file a report with the ICCB in a format prescribed by the ICCB or in accordance with the terms of the contract, detailing how the funds were utilized.
- e) Special initiatives grant funds shall be expended or obligated by June 30 of the year for which they were awarded. Goods and services for which funds have been obligated shall be received and paid for by September 30 following the end of the fiscal year for which the funds were awarded. Unexpended funds totaling \$100 or more shall be returned to the ICCB by October 15 following the end of the fiscal year. Unexpended funds totaling less than \$100 need not be returned to the ICCB provided the funds are spent in the next fiscal year and for the restricted grant purpose.
- f) Special initiatives grant funds not used in accordance with this Section regardless of the amount shall be returned to the ICCB within six months after receipt of the external audit report by the ICCB or other identification of improper expenditures subsequently verified by the ICCB.

(Source: Added at 21 Ill. Reg. 5891, effective
APR 22 1997)

Section 1501.520 Lincoln's Challenge Scholarship Grants

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- a) Lincoln's Challenge Scholarship Grants shall be vouchered to community colleges.
- b) Students can qualify for their first Lincoln's Challenge Scholarship Grant if they meet the following criteria:
 - 1) Complete the Lincoln's Challenge Program;
 - 2) Complete the GED or pursuing the completion of the GED;
 - 3) Enroll at one of the 49 Illinois public community colleges in a certificate or degree program within one year after graduation from the Lincoln's Challenge Program;
 - 4) Carry an academic load of at least six credit hours each term except the summer term;
 - 5) Present the "notification of award" letter signed by the Executive Director of the Illinois Community College Board to the community college at the time of registration.
- c) The scholarship is limited to \$1,000 per student per semester.
- d) The scholarship shall be applied only to the cost of tuition, books, fees and required educational supplies.
- e) The grant will only reimburse the college at the in-district tuition rate.
- f) In order to receive the reimbursement, colleges must submit the following information for each student:
 - 1) Name;
 - 2) Social Security Number;
 - 3) Program of study;
 - 4) Course Schedule;
 - 5) Bill with costs broken out by tuition, fees, books and educational supplies; and
 - 6) GPA and course completions from previous semester - if continuing student.
- g) In order to remain qualified for a Lincoln's Challenge Scholarship Grants, each student must:
 - 1) Submit a letter of application to the Illinois Community College Board requesting continuation of the scholarship for the next semester. The letter must be postmarked by August 1 for application to the fall term and January 1 for application to the spring term; and
 - 2) Comply with academic standards as defined by college policy. The first semester minimum grade point average may be waived as a determining factor of academic standards achievement if the student's academic advisor concludes that extenuating circumstances existed; and
 - 3) Submit documentation showing the academic status and the number of credit hours completed during the last term of enrollment at the college.
- h) Students can be awarded scholarship funds for three successive years, or a maximum of 64 credit hours (or more if completing an associate in applied science degree requiring additional credit hours) to be used toward the completion of a degree or certificate program.

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- 1) The number of scholarships awarded each year is contingent upon the amount of funds appropriated. The scholarships cannot be guaranteed to students even if all criteria are met.

(Source: Added at 21 Ill. Reg. 5891, effective _____)

SUBPART F: CAPITAL PROJECTS

Section 1501.604 Locally Funded Capital Projects

- a) All locally funded capital projects shall meet the same codes or standards listed in Section 1501.603(f)(2).
- b) Requests for ICCB approval of locally funded capital projects shall be submitted using forms prescribed by the ICCB. All locally funded capital projects shall receive prior ICCB approval except those meeting any one of the following criteria:
- 1) A project which meets the definition of a maintenance project as specified in Section 1501.601.
 - 2) A project which does not create a change in room use.
 - 3) A project which is less than \$25,000 regardless of the work being performed.

- c) Requests for ICCB approval of locally funded capital projects shall be submitted to the ICCB according to the following criteria:

- 1) All capital projects other than those excluded in Section 1501.604(b) require ICCB approval during the design phase of the project.
- 2) Capital projects estimated to cost in excess of \$2.5 million shall be reported to the ICCB following a project needs assessment.
- 3) The final budget and scope of the project shall be reported to the ICCB after bids are received but before contracts are awarded. If the budget or scope exceeds that approved by the ICCB, the project shall be resubmitted for approval.

- d) Application Criteria for New Construction Projects at the Primary Site. Applications for new construction projects submitted to the ICCB and shall have attached to them the following:

- 1) A copy of the resolution or motion passed by the local board of trustees approving the budget and scope of the project.
- 2) A statement identifying the source of local funds for the project.
- 3) For primary sites, certification shall be provided that a suitable construction site is available. Suitability is determined through a site feasibility study. The feasibility study shall address, at a minimum, the following:
 - A) The location of the site in relation to geography and population of the entire district and its relation to sites of the district's other colleges, community college

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facilities in other contiguous districts, and other higher education facilities in contiguous districts.

- B) The impact on the surrounding environment, including the effect of increased traffic flow.
- C) Accessibility to the site by existing and planned highways and/or streets.
- D) Cost of development of the site in relation to topography, soil condition, and utilities.
- E) Size of the proposed site in relation to projected student population (as determined by census data) and land cost.
- F) The number, location, and characteristics (types of terrain, geography, roadway access, and suitability of the site for building purposes) of alternative sites considered.
- 4) Requests for primary site acquisition shall include three appraisals of the property.
- 5) Evidence of need for the space requested shall be provided either on a general enrollment basis as specified in Section 1501.603(e)(4)(C) or a specific program need basis as specified in Section 1501.603(e)(4)(D).
- 6) The project shall be within the mission of a community college as set forth in Section 1-2(e) of the Act.
- e) Application Criteria for Projects Funded in Accordance with Section 3-37 of the Act. In addition to the above, applications for projects proposed for funding in accordance with Section 3-37 of the Act must include:
- 1) A copy of the proposed lease agreement showing that income is sufficient to pay the costs of constructing or acquiring and operating and maintaining the facility for the life of the installment loan arrangement entered into by the college.
 - 2) A copy of the loan arrangement entered into by the college showing the installment costs to be incurred by the college.
 - 3) Any other agreement between the college and another group which commits funds toward the project by that group.
- f) Application Criteria for Remodeling and Rehabilitation Projects. Projects to remodel and rehabilitate a facility shall require submittal of the following:
- 1) A copy of the resolution or motion passed by the local board of trustees approving the budget and scope of the project.
 - 2) A statement identifying the source of local funds for the project.
 - 3) A summary detailing the effects of the remodeling on space usage (classrooms, laboratories, offices...).
 - 4) A justification statement regarding the need to remodel.
- g) Application Criteria for Secondary Site Projects. Projects for the acquisition/construction of a new site and/or structure for purposes other than a primary site facility and projects for acquisition of sites and/or structures adjacent to the primary site shall require submittal of the following:

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- 1) A resolution by the local board of trustees stating that:
 - A) Funds are available to procure the site.
 - B) The programs offered have been approved by the ICCB and IBRE or approval of these stated programs by those boards is pending.
- 2) Copies of at least two appraisals of the property.
- 3) Verification that the condition of the facility is not a threat to public safety. This shall include tests of structural integrity, asbestos, toxic materials, underground storage tanks, and other hazardous conditions. (Findings regarding the existence of these hazards shall not preclude the procurement of the site/structure but the knowledge of the hazardous condition and any costs incurred in correcting the condition shall be incorporated into the total cost of procuring the facility.)
- 4) Identification of the location of the site and its relationship to the main campus, community college facilities in other contiguous districts, and other higher education facilities in contiguous districts.
- 5) Identification of all estimated costs associated with the purchase and any subsequent construction and/or rehabilitation of the site/structure.
- h) Construction projects for use by the college which are financed in whole or in part by college foundations are to be submitted for ICCB approval as locally funded projects.
- i) ~~The college shall not utilize local funds for capital projects relating to facilities not owned by the college and which are leased for a period of five years or less; if capital projects relating to facilities leased in excess of five years are considered, application must be made in the same manner as for other locally funded projects.~~

(Source: Amended at 21 Ill. Reg. 5891, effective APR 2 2 1991)

Section 1501.608 Approval of Projects in Section 3-20.3.01 of the Act

- Projects proposed for construction under the provisions of Section 3-20.3.01 of the Act shall meet the criteria listed below.
- a) Each proposed project shall meet the definition of "alter" or "repair" in Section 1501.601.
 - b) Each proposed project shall meet the definition of "facility" in Section 1501.601 and be owned by the district or leased ~~for more than five years with a stated intent to acquire and~~ where the district has assumed the obligation to make alterations or repairs.
 - c) Each proposed project shall not be considered a maintenance project.
 - d) Projects to repair facilities shall be for the purpose of correcting a hazard.
 - e) Each proposed project shall be one which is estimated by a licensed architect or engineer to cost \$25,000 or more, and if financed through

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- bonds in accordance with Section IIIA of the Act, is estimated by a licensed or registered architect or engineer to cost no more than \$1,500,000. A project may have several component parts if these components clearly relate to the same objective.
- f) Each proposed project shall have prior approval of the ICCB or its Executive Director.
 - g) Each proposed energy conservation project shall provide an estimated "pay back" of eight years or less as certified by a licensed architect or engineer.
 - h) Each project shall meet the codes specified in Section 1501.603(f)(2).
 - i) An application for each proposed project shall be submitted to the ICCB for approval on forms prescribed by the ICCB and shall include all of the following:
 - 1) A certified copy of a lawful order of any federal, state, county, or municipal agency having authority in statute or ordinance to regulate the protection, health, or safety of individuals as such relate to community college facilities; a licensed architect or engineer's certification that the present condition of the facility poses a threat to the structural integrity of the facility; or a copy of the resolution indicating that the local board of trustees has determined that the proposed project is necessary for energy conservation, health or safety, environmental protection, or handicapped accessibility purposes.
 - 2) A copy of a statement that, in the judgment of the local board of trustees, there are not sufficient funds available in the Operations and Maintenance Fund of the district to fund the project.
 - 3) A certified copy of a licensed architect or engineer's estimated budget of the cost and scope of the project.
 - 4) A copy of the local board of trustees' action authorizing the project.

(Source: Amended at 21 Ill. Reg. 5891, effective APR 2 2 1991)

DEPARTMENT OF CORRECTIONS

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Health Care
- 2) Code Citation: 20 Ill. Adm. Code 415
- 3) Section Numbers: Adopted Action:
415.30 Amend
- 4) Statutory Authority: Implemented and authorized by Section 5/3-6-2 of the Unified Code of Corrections [730 ILCS 5/3-6-2].
- 5) Effective Date of Rule(s) (Amendments, Repealer): May 1, 1997
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rule (amendment, repealer) contain incorporations by reference?
No
- 8) Date Filed in Agency's Principal Office: April 23, 1997
- 9) Notice(s) of Proposal Published in Illinois Register: January 10, 1997
21 Ill. Reg. 516
- 10) Has JCAR issued a Statement of Objections to this (these) rule(s)? No
- 11) Difference(s) between proposal and final version: Minor punctuation change to 415.30. Addition of paragraphs to section 415.30 (g) which addresses the exemption from medical or dental co-payment for committed persons who are indigent and ensures services are not denied due to lack of funds.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rule (amendment, repealer) replace an emergency rule (amendment, repealer) currently in effect? Yes
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rule(s) (Amendments, Repealer): This rule has been amended to comply with Public Act 89-659 which requires the Department to charge committed persons a \$2.00 co-payment for non-emergency medical and dental services performed outside a Department facility.
- 16) Information and questions regarding this adopted rule (amendment, repealer) shall be directed to:

Donald N. Snyder, Jr., Deputy Director
Department of Corrections

DEPARTMENT OF CORRECTIONS

NOTICE OF ADOPTED AMENDMENTS

1301 Concordia Court
P. O. Box 19277
Springfield, Illinois 62794-9277
217/522-2666, extension 2082

The full text of the Adopted Rule(s) (Amendments) begins on the next page:

DEPARTMENT OF CORRECTIONS

NOTICE OF ADOPTED AMENDMENTS

TITLE 20: CORRECTIONS, CRIMINAL JUSTICE, AND LAW ENFORCEMENT

CHAPTER I: DEPARTMENT OF CORRECTIONS

SUBCHAPTER d: PROGRAMS AND SERVICES

PART 415

HEALTH CARE

Section	
415.10	Applicability
415.15	Responsibilities
415.20	Definitions
415.30	Medical and Dental Examinations and Treatment
415.40	Mental Health Services
415.50	Mental Health Examinations and Treatment for Guilty but Mentally Ill
415.60	Review of Placements in a Specialized Mental Health Setting
415.70	Involuntary Administration of Psychotropic Medication
415.80	Organ Transplants

AUTHORITY: Implementing Sections 3-2-2, 3-6-2, 3-7-2, 3-8-2, 3-10-2, 3-10-3, and 5-2-6 of the Unified Code of Corrections [730 ILCS 5/3-2-2, 3-6-2, 3-7-2, 3-8-2, 3-10-3, and 5-2-6] and authorized by Section 3-7-1 of the Unified Code of Corrections [730 ILCS 5/3-7-1].

SOURCE: Adopted at 8 Ill. Reg. 14496, effective August 1, 1984; amended at 11 Ill. Reg. 10240, effective June 1, 1987; emergency amendment at 14 Ill. Reg. 13316, effective August 15, 1990, for a maximum of 150 days; amended at 15 Ill. Reg. 988, effective January 12, 1991; amended at 19 Ill. Reg. 15428, effective November 15, 1995; emergency amendment at 21 Ill. Reg. 638, effective January 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 5911, effective _____.

Section 415.30 Medical and Dental Examinations and Treatment

- Within seven working days after admission to a reception and classification center, each committed person shall be given a physical examination by a physician or by a nurse practitioner under the direct supervision of a physician or by a physician's assistant under the direct supervision of a physician. Each committed person shall be immunized as prescribed by the physician.
- Each committed person shall be examined by a dentist within 10 working days after admission to a reception and classification center. The dentist shall chart the oral cavity and classify dental health.
- Emergency treatment shall be available to committed persons 24 hours a day.
- A health care unit or area shall be established at each correctional facility within the Adult and Juvenile Divisions. Committed persons shall be admitted to the health care unit or area as determined by health care personnel.

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- Committed persons shall be informed of the institutional procedures for obtaining medical, dental, or mental health services.
- Persons committed to the Adult and Juvenile Division facilities shall be provided medical and dental treatment, with the consent of the parent or guardian where applicable, as prescribed by a Department physician or dentist.
- Committed persons who require non-emergency medical or dental services at offices or facilities other than Department facilities shall authorize the Department to deduct a \$2.00 co-pay from present or future funds in his or her trust fund account prior to each visit. Non-emergency services are scheduled services determined necessary by a Department physician.

- The co-payment shall be paid from the committed person's trust fund when the services are delivered.
- Committed persons who are without funds at the time services are delivered shall not be denied medical or dental services. The committed person's trust fund account shall be restricted for the amount of co-payment and shall be paid upon receipt of future funds.
- A committed person who is found to be indigent shall be exempt from the co-payment. A committed person shall be considered indigent if during the entire term of his or her incarceration the committed person is without funds to pay the \$2.00 co-payment.

h) A committed person who has or is suspected of having a communicable disease may be isolated from other committed persons. This determination shall be made by a physician as deemed medically necessary.

i) In case of critical illness or major surgery, the Chief Administrative Officer shall attempt to notify the person designated by the committed person to be contacted in case of an emergency and, where applicable, the parent or guardian.

j) The decision to continue or terminate a pregnancy is a medical determination which shall be made by the committed person in consultation with her physician.

- Committed persons contemplating an abortion shall be provided with information and counseling concerning the nature of, the consequences of, and any risks associated with the procedure and available alternatives.
- Committed persons shall be granted a furlough for the purpose of obtaining an abortion. Committed persons shall be permitted to accept funds for an abortion from local community charities or other sources.

k) A record of all medical and dental examinations, findings, and treatment shall be maintained.

(Source: Amended at 21 Ill. Reg. 5911, effective _____)

DEPARTMENT OF CORRECTIONS

NOTICE OF ADOPTED AMENDMENTS

_____) _____

DEPARTMENT OF CORRECTIONS

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: School District #428
- 2) Code Citation: 20 Ill. Adm. Code 405
- 3) Section Numbers: Adopted Action:
405.17 Amend
405.80 New Section
- 4) Statutory Authority: Implementing and authorized by Section 5/3-6-2 of the Unified Code of Corrections [730 ILCS 5/3-6-2].
- 5) Effective Date of Rule(s) (Amendments, Repealer): May 1, 1997
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rule (amendment, repealer) contain incorporations by reference?
No
- 8) Date Filed in Agency's Principal Office: April 23, 1997
- 9) Notice(s) of Proposal Published in Illinois Register: January 10, 1997, 21 Ill. Reg. 518
- 10) Has JCAR issued a Statement of Objections to this (these) rule(s)? No
- 11) Difference(s) between proposal and final version: Minor punctuation changes in the Authority note and Section 405.80. Addition of clarifying definitions to Section 405.17.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rule (amendment, repealer) replace an emergency rule (amendment, repealer) currently in effect? Yes
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rule(s) (Amendments, Repealer): This rule has been amended to comply with Public Act 89-659, which requires committed persons to reimburse the Department for course work which begins on or after January 1, 1997, if the committed persons earn a degree or attain the number of credit hours required to attain a degree.
- 16) Information and questions regarding this adopted rule (amendment, repealer) shall be directed to:
Donald N. Snyder, Jr., Deputy Director
Department of Corrections

DEPARTMENT OF CORRECTIONS

NOTICE OF ADOPTED AMENDMENTS

1301 Concordia Court
P. O. Box 19277
Springfield, Illinois 62794-9277
217/522-2666, extension 2082

The full text of the Adopted Rule(s) (Amendments) begins on the next page:

DEPARTMENT OF CORRECTIONS

NOTICE OF ADOPTED AMENDMENTS

TITLE 20: CORRECTIONS, CRIMINAL JUSTICE, AND LAW ENFORCEMENT
CHAPTER I: DEPARTMENT OF CORRECTIONS
SUBCHAPTER d: PROGRAMS AND SERVICES

PART 405

SCHOOL DISTRICT #428

Section	
405.10	Applicability
405.15	Responsibilities
405.17	Definitions
405.20	Adult and Juvenile Educational Programs
405.30	Assistance to Community Services Division
405.40	Evaluation (Repealed)
405.50	Adult Basic Education Attendance
405.55	Educational Good Conduct Credits (Repealed)
405.60	Juvenile Educational Attendance
405.70	Suspension of Programs
405.80	Educational Reimbursement

AUTHORITY: Implementing Sections 3-2-2, 3-6-2, 3-6-3, 3-8-3, 3-9-1, 3-10-2, and 3-12-3 of the Unified Code of Corrections [730 ILCS 5/3-2-2, 3-6-2, 3-6-3, 3-8-3, 3-9-1, 3-10-2, and 3-12-3] and Sections 13-40 through 13-45 of the Illinois School Code [105 ILCS 5/13-40 through 13-45] and authorized by Sections 3-2-2 and 3-7-1 of the Unified Code of Corrections [730 ILCS 5/3-2-2 and 3-7-1].

SOURCE: Adopted at 8 Ill. Reg. 14624, effective August 1, 1984; amended at 11 Ill. Reg. 2742, effective February 1, 1987; emergency amendment at 14 Ill. Reg. 19389, effective December 1, 1990, for a maximum of 150 days; amended at 15 Ill. Reg. 5642, effective April 15, 1991; amended at 16 Ill. Reg. 10449, effective July 1, 1992; emergency amendment at 17 Ill. Reg. 16227, effective September 17, 1993, for a maximum of 150 days; amended at 18 Ill. Reg. 2970, effective February 14, 1994; emergency amendment at 21 Ill. Reg. 647, effective January 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 8916, effective May 1, 1999.

Section 405.17 Definitions

"Achievement test" means a nationally normed instrument, which has been approved by the Superintendent of School District #428, that measures an individual's educational grade level.

"Associate level courses" means academic and vocational courses that are approved by a college or university as meeting the requirements for an award of an Associate's Degree.

"Baccalaureate level courses" means academic and vocational courses

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that are approved by a college or university as meeting the requirements for an award of a Bachelor's Degree.

"Billable course work" means course work in which the committed person is enrolled or that begins on or after January 1, 1997 while incarcerated that is necessary for a degree.

"Chief Administrative Officer" means the highest ranking official of a correctional facility.

"Degree" means an academic title awarded by a college or university upon the completion of an approved course of study. Types of degrees awarded are associate's, bachelor's, etc.

"Department" means the Department of Corrections.

"Director" means the Director of the Department of Corrections.

"Educational programs" means courses of academic and vocational instruction offered to persons committed to the Adult and Juvenile Divisions as approved by School District #428; or courses of academic and vocational instruction offered in the free community; or vocational work training programs offered by the Department or outside resources.

"Full-time student" means a committed person who is enrolled in an educational program that has classes that are normally scheduled to meet a minimum of 15 hours a week; or a committed person who is enrolled in college academics for a minimum of six credit hours per module or 12 credit hours per semester.

"Higher level courses" means academic courses that are approved by a college or university as meeting the requirements for an award of any degrees beyond the Bachelor's Degree.

"90 instructional day program" means a period of 90 days of remedial education, excluding days of absence or days in which no instruction was offered.

"Instructional day" means a day in which instruction is provided.

"Sexually dangerous person" means any person as defined in Section 1.01 of the Sexually Dangerous Persons Act ~~331.1-Rev--Stat--1997--ch-~~ ~~387-par--105-1-01~~ [725 ILCS 205/1.01].

"Superintendent" means the Superintendent of the Department of Corrections School District #428.

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"Technical violator" means a committed person who has been returned to a Department facility due to a violation of the conditions of his or her parole or mandatory supervised release, but does not include a committed person who has been convicted of a new offense.

"Working days" means Monday through Friday, excluding State holidays.

(Source: Amended at 21 Ill. Reg. 5916, effective 1/14/97)

Section 405.80 Educational Reimbursement

- a) Effective January 1, 1997, committed persons who participate in educational programs provided through the Department and who are either awarded or complete the necessary course work required to earn a degree through these programs shall be required to reimburse the Department for the cost incurred for all billable course work.
- b) Each fiscal year, the Department shall determine the cost of courses that meet the requirements for the award of a degree. Committed persons shall be informed of the fees by posted notices, warden's bulletins, handbooks, or another similar manner.
- c) Per credit hour fees shall be determined for associate level courses, baccalaureate level courses, and vocational courses.
 - 1) To determine fees for academic courses such as associate or baccalaureate level courses, divide the statewide educational contracts cost for the appropriate level courses using the latest fiscal year for which all final expenditures are known by the average number of credit hours for that fiscal year. Divide that sum by the average number of students per course.
 - 2) To determine fees for vocational courses, divide the statewide vocational contracts cost using the latest fiscal year for which all final expenditures are known by the average number of vocational credit hours. Divide that sum by the average number of students per course.
- d) Reimbursement shall be required for any billable course work either:
 - 1) Upon the award of a degree; or
 - 2) Upon accumulation of the course work required to be eligible for the award of a degree.
- e) To reimburse the Department, the committed person may:
 - 1) Submit full payment for the educational cost;
 - 2) Authorize a monthly payment to be deducted from his or her trust fund account; or
 - 3) Make alternative payment arrangements.
- f) Where a committed person who has an outstanding educational reimbursement balance is discharged or placed on parole or mandatory supervised release, interest at the rate of six percent per annum shall be assessed on any unpaid balance until the account is paid in full. No interest shall be assessed or accrued while the committed

DEPARTMENT OF CORRECTIONS

NOTICE OF ADOPTED AMENDMENTS

person is incarcerated.

(Source: Added at 21 Ill. Reg. 5916, effective MAY 1 1997)

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of Part: Prior Notification of Dividends On Common Stock and Other Distributions
- 2) Code Citation: 50 Ill. Adm. Code 855
- 3) Section Number: 855.ILLUSTRATION A Adopted Action: Amendment
- 4) Statutory Authority: Implementing Article VIII 1/2 and authorized by Sections 131.16, 131.20a(2), and 401 of the Illinois Insurance Code [215 ILCS 5/131.16, 131.20a(2), and 401].
- 5) Effective Date of Amendment: April 29, 1997
- 6) Does this Amendment contain an automatic repeal date? No
- 7) Does this Amendment contain incorporations by reference? No
- 8) Date filed in Agency's Principal Office: April 29, 1997
- 9) Notice of Proposal Published in Illinois Register: November 8, 1996, 20 Ill. Reg. 14362
- 10) Has JCAR issued a Statement of Objections to this Amendment? No
- 11) Difference(s) between proposal and final version:
 - a) In the Illustration heading the word "Section" has been added.
 - b) Section 855.ILLUSTRATION A, Item 6(c) on the second and third line delete "month preceding the month in which prior notification of the dividend is submitted" and add "most recently filed financial statement (quarterly or annual) in lieu thereof. Also delete the last sentence entirely.
- 12) Have all changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? The change that JCAR identifies in the Second Notice Changes document was an error found in their text version of the Department's First Notice proposal. JCAR has now corrected their error.
- 13) Will this Amendment replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of rulemaking: This amendment will require companies submitting a filing relating to issuance of an extraordinary dividend (pursuant to this Part) to provide the Department with a calculation of

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED AMENDMENTS

its risk based capital, assuming the dividend will be approved and paid. This information will assist Departmental staff with making a determination to approve or disapprove an extraordinary dividend.

- 16) Information and questions regarding this adopted Amendment shall be directed to:

P&C Companies:

Judy Pool
Department of Insurance
320 West Washington
Springfield, IL 62767-0001
(217) 524-5376

L/A&H Companies:

Larry Gorski
Department of Insurance
320 West Washington
Springfield, IL 62767-0001
(217) 782-1794

The full text of the Adopted Amendments begins on the next page.

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED AMENDMENTS

TITLE 50: INSURANCE

CHAPTER I: DEPARTMENT OF INSURANCE

SUBCHAPTER k: INSURANCE HOLDING COMPANY SYSTEMS

PART 855

PRIOR NOTIFICATION OF DIVIDENDS ON COMMON STOCK AND OTHER DISTRIBUTIONS

Section

855.10 Purpose
855.20 Definitions
855.30 Prior Notification of Dividends and Other Distributions
855.40 Penalties

ILLUSTRATION A Form D-2

AUTHORITY: Implementing Article VIII 1/2 and authorized by Sections 131.16, 131.20a(2), and 401 of the Illinois Insurance Code [215 ILCS 5/131.16, 131.20a(2), and 401].

SOURCE: Emergency rules adopted at 17 Ill. Reg. 21869, effective November 30, 1993, for a maximum of 150 days; amended at 18 Ill. Reg. 6168, effective April 6, 1994; amended at 21 Ill. Reg. 5922, effective APR 24 1995.

DEPARTMENT OF INSURANCE
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Section 855. ILLUSTRATION A Form D-2

FORM D-2
GENERAL INSTRUCTIONS

Signature and Certification.

For purposes of filing the Form D-2, the signature and certification required by this Part shall be signed by an executive officer of the insurer.

PRIOR NOTICE OF DIVIDENDS ON COMMON
STOCK AND OTHER DISTRIBUTIONS

Filed with the Insurance Department of the State of Illinois

By

Name of Domestic Company

On Behalf of Following Insurance Companies:

Name Address

Date: _____, 19____

Name, Title, Address and Telephone Number of Individual to Whom Notices and Correspondence Concerning this Request Should be Addressed:

Item 1. Type of Dividend or Distribution.

Identify the dividend or distribution as a dividend or other distribution subject to Section 131.16 of the Illinois Insurance Code [215 ILCS 5/131.16] or as an extraordinary dividend or other extraordinary distribution as defined in Section 131.20a(2) of the Illinois Insurance Code [215 ILCS 5/131.20a(2)] {215 ILCS 131.20a(2)}.

Item 2. The amount of the dividend or other distribution and the date established for payment. The proposed date must be consistent with requirements for receipt of notice by the Department, as specified in Section

DEPARTMENT OF INSURANCE
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855.30(a) of 50 Ill. Adm. Code 855.

Item 3. A statement as to whether the dividend or other distribution is to be in cash or other property, and, if in property, a description thereof, its cost, statutory carrying value, and the fair market value of such property together with an explanation of the basis for valuation.

Item 4. The amounts and payment dates of all dividends paid within the period of 12 consecutive months ending on the date fixed for payment of the proposed dividend for which notification is being given or approval is being sought.

Item 5. An illustration of the calculation of the extraordinary dividend limit set by Section 131.20a of the Illinois Insurance Code. Dividends that have been or will be paid in other than cash shall be valued for the purposes of the calculation at the greater of market or statutory carrying value of the asset.

Item 6. If the notice is filed for an extraordinary dividend pursuant to to Section 131.20a of the Illinois Insurance Code, the following items must also be included:

a) A balance sheet and statement of income for the period intervening from the last annual statement filed with the Director and the end of the month preceding the month in which the prior notification of the dividend is submitted. Indicate the amount of all unrealized capital gains included in unassigned funds.

b) A brief statement as to the effect of the proposed dividend upon the insurer's surplus and the reasonableness of surplus in relation to the insurer's outstanding liabilities and the adequacy of surplus relative to the insurer's financial position.

c) A calculation of the insurer's risk based capital level as of the most recently filed financial statement (quarterly or annual), adjusted to show the effect of the proposed dividend or other distribution.

Pursuant to the requirements of Section 131.16 (or 131.16 and 131.20a, in the case of extraordinary dividends) of the Illinois Insurance Code, the City of _____ and State of _____ on the _____ day of _____, 19____.

Name of Requesting Insurer

By _____ (Name) _____ (Title)

DEPARTMENT OF INSURANCE

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Attest:

(Signature of Officer)

(Title)

CERTIFICATION

The undersigned deposes and says that (s)he had duly executed the attached notice dated _____, 19____, for and on behalf of such _____; that (s)he is the _____ (Title of Officer) company and that (s)he is familiar with such instrument and the contents thereof, and that the facts therein set forth are true to the best of his/her knowledge, information and belief.

(Signature) _____

(Type or print name beneath) _____

(Source: Amended at 21 Ill. Reg. 5922, effective APR 24 1991)

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENT(S)

- 1) Heading of the Part: Illinois Architecture Practice Act of 1989
- 2) Code Citation: 68 Ill. Adm. Code 1150
- 3) Section Numbers: Adopted Action:
1150.30 Amendment
1150.60 Amendment
1150.80 Amendment
- 4) Statutory Authority: The Illinois Architecture Practice Act of 1989 [225 ILCS 305]
- 5) Effective Date of Amendments: April 24, 1997
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these Amendments contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: April 24, 1997
- 9) Date Notice of Proposal Published in Illinois Register: November 22, 1996, at 20 Ill. Reg. 14978
- 10) Has JCAR issued a Statement of Objections to these amendments? No
- 11) Difference(s) between proposal and final version: In Section 1150.80(a)(3)(B), the following language was deleted: "and granting authority to make all final decisions involving architectural work within Illinois".
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will these Amendments replace an Emergency Amendment currently in effect? No
- 14) Are there any Amendments pending on this Part? No
- 15) Summary and Purpose of Amendments:
Public Act 89-594, Section 350, effective August 2, 1996, added a requirement that an applicant for an architect license in Illinois who graduated from an architect program outside the United States or its territories and whose first language is not English must submit certification of passage of the Test of English as a Foreign Language (TOEFL) and the Test of Spoken English (TSE) as defined by rule before taking the licensure examination. This rulemaking provides procedures for submitting such certification.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENT(S)

Section 11 of the Act authorizes the Department to require a foreign-educated applicant, at the applicant's expense, to have his/her education in a foreign country evaluated by a nationally recognized educational body. These proposed rules designate the Education Evaluator Services for Architects (EESA) as the nationally recognized educational body to perform the evaluations and specify that it is EESA's comprehensive evaluation that is required.

Section 21 of the Act requires persons who desire to practice architecture in Illinois in the form of a partnership, limited liability company or corporation to register with the Department. This rulemaking sets forth the procedures and information required to register a professional design firm with the Department. The registration requirements also affect any sole proprietorship that operates under an assumed name.

- 16) Information and questions regarding this amended part shall be directed to:

Department of Professional Regulation
 Attention: Jean Courtney
 320 West Washington, 3rd Floor
 Springfield, IL 62786
 217/785-0813 Fax: 217/782-7645

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 68: PROFESSIONS AND OCCUPATIONS
 CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
 SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1150

ILLINOIS ARCHITECTURE PRACTICE ACT OF 1989

Section

- 1150.10 Category I - Education Requirements and Diversified Professional Training Requirements for Individuals Whose Education Was Initiated After January 1, 1990
- 1150.20 Category II - Education Requirements and Diversified Professional Training Requirements for Individuals Whose Education Was Initiated Prior to January 1, 1990
- 1150.30 Application for Licensure by Examination
- 1150.40 Examination
- 1150.50 Approved Architecture Programs
- 1150.60 Licensure by Endorsement
- 1150.65 Inactive Status
- 1150.70 Restoration
- 1150.80 Professional Design Firm Corporations and Partnerships
- 1150.85 Acts Constituting the Practice of Architecture Pursuant to Section 5 of the Act
- 1150.90 Standards of Professional Conduct
- 1150.95 Architecture Complaint Committee
- 1150.100 Renewals
- 1150.110 Granting Variances

ILLUSTRATION A Architect Seal Requirements

APPENDIX A Categories of Diversified Professional Training

AUTHORITY: Implementing the Illinois Architecture Practice Act of 1989 [225 ILCS 305] and authorized by Section 60(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/60(7)].

SOURCE: Rules and Regulations promulgated for the Administration of the Illinois Architecture Act, effective May 29, 1975; amended May 12, 1977; codified at 5 Ill. Reg. 11019; emergency amendment at 6 Ill. Reg. 916, effective January 6, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 7448, effective June 15, 1982; amended at 7 Ill. Reg. 7658, effective June 15, 1983; amended at 9 Ill. Reg. 5691, effective April 16, 1985; amended at 11 Ill. Reg. 14077, effective August 5, 1987; transferred from Chapter I, 68 Ill. Adm. Code 150 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1150 (Department of Professional Regulation) pursuant to P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 2933; amended at 16 Ill. Reg. 3143, effective February 14, 1992; amended at 17 Ill. Reg. 1554, effective January 25, 1993; amended at 18 Ill. Reg. 10736, effective June 27, 1994; amended at 19 Ill. Reg. 16066, effective November 17, 1995; amended at 20 Ill. Reg. 7873, effective May 30, 1996; amended at 21 Ill. Reg. 5928, effective

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENT(S)

APR 24 1999

(Source: Amended at 21 Ill. Reg. 5928, effective APR 24 1999)

Section 1150.30 Application for Licensure by Examination

a) An applicant for licensure as an architect shall file an application on forms supplied by the Department at least 90 days prior to an examination date. The application shall include:

1) Proof of having completed the necessary education and training, as required by Sections 1150.10 and 1150.20.

A) The proof shall be in the form of certifications of education completed by the school, college or university attended, and certified by the supervising architect.

B) Applicants who received their education in a foreign country shall have the education comprehensively evaluated, at their expense, by the Education Evaluator Services for Architects (EESA). Applicants shall obtain the forms from the EESA, Educational Credential Evaluators, Inc., P.O. Box 17499, Milwaukee, WI 53217. The Board will review all transcripts and the comprehensive evaluation submitted to the Department to determine if the education meets the requirements set forth in Sections 1150.10 and 1150.20;

2) A complete work history indicating all professional architectural experience;

3) If the such applicant has ever been licensed in another jurisdiction, certification from the jurisdiction of original licensure and certification from the jurisdiction of predominant active practice including the following:

A) The date of issuance of the applicant's license and the current status of such license;

B) The basis of licensure and a description of the examination by which the applicant was licensed, if any; and

C) Whether the records of the licensing authority contain any record of any disciplinary action taken or pending against the applicant;

4) The required fee; and

5) Proof of passage of the Test of English as a Foreign Language (TOEFL) with a score of 550 and the Test of Spoken English (TSE) with a score of 50, for applicants who apply after January 1, 1997, who graduated from an architectural program outside the United States or its territories and whose first language is not English. In order to determine applicants whose first language is English, the applicant shall submit verification from the school that the architectural program from which the applicant graduated was taught in English.

b) An applicant shall complete the required training by the date of the application for examination to be permitted to sit for that examination.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENT(S)

(Source: Amended at 21 Ill. Reg. 5928, effective APR 24 1999)

Section 1150.60 Licensure by Endorsement

a) An applicant who holds an active license or registration to practice architecture under the laws of another state or territory and who desires to become licensed by endorsement shall file an application with the Department together with:

1) Either:

A) Council Certification, issued by and forwarded directly to the Department by the NCARB; or

B) Other Proof of Qualifications and Licensure

i) Proof that the applicant has met requirements substantially equivalent to those in force in this State at the time of original or subsequent licensure by written examination in the other state or territory, including certification of education, and affidavits of training.

ii) A certification by the state or territory of original licensure and any other jurisdiction in which the applicant is or has ever been licensed, including the date of issuance of the applicant's license and the current status of each license; the basis of licensure and a description of all examinations by which the applicant was licensed in that state or territory and the date of passage of any such examinations; and whether the records of the licensing authority contain any record of any disciplinary action taken or pending against the applicant;

2) The required fee as set forth in Section 19 of the Act; and

3) A complete work history since graduation from an architecture program;

4) Applicants who received their education in a foreign country shall have the education comprehensively evaluated, at their expense, by the Education Evaluator Services for Architects (EESA). Applicants shall obtain the forms from the EESA, Educational Credential Evaluators, Inc., P.O. Box 17499, Milwaukee, WI 53217. The Board will review all transcripts and the evaluation submitted to the Department to determine if the education meets the requirements set forth in Sections 1150.10 and 1150.20; and

5) Proof of passage of the Test of English as a Foreign Language (TOEFL) with a score of 550 and the Test of Spoken English (TSE) with a score of 50, for applicants who apply after January 1, 1997, who graduated from an architectural program outside the United States or its territories and whose first language is not English. In order to determine applicants whose first language

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENT(S)

is English, the applicant shall submit verification from the school that the architectural program from which the applicant graduated was taught in English.

- b) The Department shall examine each endorsement application to determine whether the requirements in the state or territory of original or subsequent licensure were substantially equivalent to the requirements then in force in this State. The Department shall either issue a license by endorsement to the applicant or notify the applicant in writing of the reason for the denial of the application.
- c) The Department shall, in individual cases, upon recommendation of the Board, waive passage of one or more parts of the examination upon proof that the applicant has been lawfully engaged in the practice of architecture in another jurisdiction for a minimum of five years and has provided evidence demonstrating competence in the area(s) of examination being considered for waiver (i.e., architectural education, training and experience). If an applicant has previously failed to pass a part or parts of the examination, the applicant shall not be granted a waiver for the part or parts pursuant to this provision.
- d) When the accuracy of any submitted documentation or the relevance or sufficiency of the course work or experience is questioned by the Department or the Board because of a lack of information, discrepancies or conflicts in information given or a need for clarification, the applicant shall be requested to:
 - 1) Provide such information as may be necessary; and/or
 - 2) Appear for an interview before the Board to explain such relevance or sufficiency, clarify information, or clear up any discrepancies or conflicts in information.

(Source: Amended	at 21	Ill.	Reg.	effective

Section 1150.80 Professional Design Firm Corporations-and-Partnerships

- a) Persons who desire to practice architecture in this State in the form of a partnership, limited liability company or corporation (if the form is a corporation and such corporation was not formed under the Professional Service Corporation Act [805 ILCS 10]) (~~411--Rev--Stat--1989--ch--32--par--415--1--et--seq--77~~ or sole proprietorship (if the sole proprietorship is conducting or transacting business under an assumed name in accordance with the Assumed Business Name Act [805 ILCS 405]) shall, in accordance with Section 21 of the Act, file an application with the Department, on forms provided by the Department, together with the following:
- 1) For Corporations
- A) The name of the corporation and its registered address, the names of all members of the board of directors, and the name of the state and license number for each director who is

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENT (S)

licensed as an architect, structural engineer or professional engineer. To qualify under Section 21 of the Act, at least two-thirds of the board of directors shall be licensed;

- B) A copy of the Articles of Incorporation bearing the seal of the office, in the jurisdiction in which the corporation is organized, whose duty it is to register corporations under the laws of that jurisdiction. The purpose clause of the Articles of Incorporation shall designate that the purpose of the corporation is to provide architectural services. If it is a foreign corporation, a copy of the certificate of authority to transact business in this State is required; and
- C) A certified copy of the resolution adopted by the board of directors designating a member(s) of the board of directors who is an Illinois licensed architect as the managing agent(s) in charge of the architectural activities in this State. The Illinois license number of the architect(s) designated as the managing agent(s) shall also be included in the resolution.
- 2) For Partnerships.
- A) An application containing the name of the partnership and its business address and the names of all general partners, with the name of the state in which each is licensed and the license number of each general partner who is licensed as an architect, structural engineer or professional engineer. To qualify under Section 21 of the Act, two-thirds of the general partners shall be licensed in any state or territory.
- B) A certified copy of the resolution adopted by the general partners designating the general partner(s) who is an Illinois licensed architect(s) as the managing agent(s) in charge of the architectural activities in this State. The Illinois license number of the architect(s) designated as the managing agent(s) shall also be included in the resolution.
- 3) For Limited Liability Companies.
- A) An application containing the name of the limited liability company, the business address and the members of the company, the name of the state in which each is licensed as an architect and the license number of each member.
- B) A certified copy of the articles of organization or operating agreement designating a member of the company who is an Illinois licensed architect as the managing agent in charge of the architect activities in this State.
- 4) For Sole Proprietorships. An application containing the name of the sole proprietor and its business address and the name and license number of the architect who owns and operates the

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENT(S)

business.

5) A list of all office locations in Illinois at which the corporation, limited liability company, or partnership or sole proprietorship provides architectural services.

6) A list of all assumed names used by the corporation, limited liability company, partnership or sole proprietorship.

7) The fee required in Section 19 of the Act.

b) Upon receipt of the above documents, the Department shall issue a license authorizing the corporation, limited liability company, or partnership or sole proprietorship to engage in the practice of architecture or notify the applicant in writing of the reason for the denial of such application.

c) Each individual architectural office maintained for the preparation of drawings, specifications, reports or other professional work shall have a resident architect(s), licensed in Illinois and regularly employed in that office, having direct supervision and control of such work. Nothing in this Section shall relieve the managing agent(s) in charge of architectural activities in this State of any legal responsibility for the overall supervision of the individual architectural offices.

d) Each corporation, limited liability company or partnership shall be responsible for notifying the Department within 30 days of any changes in:

1) The membership of the board of directors, members of the limited liability company or of the general partners; and

2) The licensure status of any of the general partners, members of the limited liability company or any of the licensed architect or engineering members of the board or partners.

e) Each corporation, limited liability company or partnership shall be responsible for notifying the Department, in writing, by certified mail, within 10 business days after a termination or change in status of the managing agent(s). Thereafter, the corporation, limited liability company or partnership, if it has so informed the Department, has 30 days to notify the Department of the name and license number of the architect licensed in Illinois who is the newly designated managing agent(s).

f) Failure to notify the Department as required in subsections (d) and (e) or any failure of the corporation, limited liability company or partnership to continue to comply with the requirements of Section 21 of the Act will subject the corporation or partnership to the loss of its license to practice architecture in Illinois.

g) Sole Proprietorships. Any sole proprietorship owned and operated by an architect who has an active Illinois license is exempt from the registration requirement of a professional design firm. However, if the sole proprietorship operates under an assumed name, the sole proprietor shall file an application with the Department indicating all assumed names utilized. A sole proprietorship shall notify the Department of any assumed name changes.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENT(S)

(Source: Amended at 21 Ill. Reg. 5028, effective APR 2, 1998)

SECRETARY OF STATE
NOTICE OF ADOPTED AMENDMENT(S)

- 1) Heading of the Part: Department of Personnel
- 2) Code Citation: 80 Ill. Adm. Code 420
- 3) Section Number(s):
420.10 Adopted Action:
 Amendment
420.415 New Section
420.665 New Section
420.680 Amendment
420.825 New Section
- 4) Statutory Authority: Authorized by Section 10 of the Secretary of State Merit Employment Code [15 ILCS 310/10].
- 5) Effective Date of Rule: April 24, 1997
- 6) Does this rulemaking contain an automatic repeal date: No
- 7) Does this amendment contain incorporations by reference: No
- 8) Date filed in Agency's Principal Office: April 23, 1997
- 9) Notice of Proposal Published in Illinois Register: 21 Ill. Reg. 1579, February 7, 1997
- 10) Has JCAR issued a Statement of Objections to these amendments? No
- 11) Differences between proposal and final version: Technical, non-substantive changes suggested by JCAR.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will these amendments replace an emergency rule amendment currently in effect? Yes
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rules: These rules respond to a SOS Merit Commission order requiring rules for employment standards for sworn personnel (SOS police) in positions on inter-agency assignments.
- 16) Information and questions regarding these adopted amendments shall be directed to:

Deanna Patton
Secretary of State
Room 196, Howlett Building

The full text of the Adopted Rules begins on the next page:

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
 SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND
 POSITION CLASSIFICATIONS
 CHAPTER II: SECRETARY OF STATE

PART 420

DEPARTMENT OF PERSONNEL

SUBPART A: INTRODUCTION

Section
 420.10

Definitions

SUBPART B: CLASSIFICATION AND PAY

Section
 420.200
 420.210
 420.220

Positions
 Position Classification
 Pay Plan

SUBPART C: MERIT AND FITNESS

Section
 420.300
 420.310
 420.320

Application and Examination
 Appointment and Selection
 Trainees

420.330
 420.340
 420.350
 420.360

Intermittents
 Continuous Service
 Performance Review
 Probationary Status

420.370
 420.380
 420.390

Promotions
 Employee Transfers
 Demotion

420.400
 420.410
 420.415

Layoffs and Reemployment
 Voluntary Reduction
 Sworn Personnel--Inter-Agency Assignment

420.420
 420.430

Resignation and Reinstatement
 Discipline, Discharge, and Termination

420.435

Return of State Property

SUBPART D: CONDITIONS OF EMPLOYMENT

Section
 420.600
 420.610
 420.620
 420.630
 420.640

Grievance Procedure
 Sick Leave
 Leave for Personal Business
 On-The-Job Injury--Industrial Disease
 Leaves of Absence Without Pay

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENT(S)

420.645 Adoption/Child Care Leave
 420.650 Limitations on Leaves of Absence
 420.660 Leaves of Absence--Special
 420.665 Leaves of Absence--Sworn Personnel--Inter-Agency Assignment
 420.670 Leaves of Absence--Special--Salary
 420.680 Employee Rights After Leave
 420.690 Leave of Absence--Election to Public Office
 420.700 Failure to Return From Leave of Absence
 420.710 Military and Peace Corps Leave
 420.720 Leave For Annual Military Reserve Training or Special Duty
 420.730 Leave for Military Physical Examinations
 420.740 Leave to Take Exempt Position
 420.760 Disability Leave
 420.770 Attendance in Court
 420.800 Vacation
 420.810 Work Schedules
 420.820 Overtime
 420.825 Temporary Assignment
 420.830 Holidays

SUBPART E: GENERAL PROVISIONS

Section
 420.1000
 420.1010
 420.1030

Records
 Benefits
 Other Provisions

AUTHORITY: Implementing and authorized by Section 10 of the Secretary of State Merit Employment Code [15 ILCS 310/10].

SOURCE: Emergency rule adopted December 29, 1977; amended at 3 Ill. Reg. 49, p. 159, effective October 1, 1979; amended at 4 Ill. Reg. 40, p. 219, effective December 1, 1980; amended at 6 Ill. Reg. 3302, effective March 16, 1982; amended at 6 Ill. Reg. 7494, effective June 16, 1982; amended at 7 Ill. Reg. 11526, effective September 7, 1983; codified at 8 Ill. Reg. 2653; recodified at 10 Ill. Reg. 15659; amended at 12 Ill. Reg. 6766, effective April 1, 1988; amended at 17 Ill. Reg. 1652, effective February 1, 1993; emergency amendment at 21 Ill. Reg. 1710, effective January 27, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 5937, effective APR 24 1997.

SUBPART A: INTRODUCTION

Section 420.10 Definitions

"Appropriate Supervisor": An employee who has the authority to resolve an employee's grievance.

"Board": Refers to the Merit Advisory Board.

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENT(S)

"Certified Employee": An employee who has successfully completed an appointment and a required probationary period.

"Certified Status": Status achieved through the completion of a probationary period.

"Class": A composite of positions which are sufficiently similar, in terms of duties and responsibilities, requiring the same or related knowledge, skills, abilities and licenses (if required) to fulfill them, and the same title, selection instrument, salary range or rate of pay that would apply equitably to each. Example: All Executive I positions in the Office of the Secretary of State are a class.

"Code": The Secretary of State Merit Employment Code [15 ILCS 310] ~~4411--Rev--Stat--19817--ch--124--pars--101--et--seq--7~~.

"Commission": The Secretary of State Merit Commission.

"Department of Personnel": The Secretary of State Department of Personnel.

"Director of Personnel": The Director of the Secretary of State Department of Personnel.

"Executive or Administrative Employee": Those employees who have principal administrative responsibility for the determination of policy or principal administrative responsibility for the way in which policies are carried out.

"Executive Security Officer": A law enforcement officer charged with executive protective duties.

"Highly Confidential Employee": An employee who occupies a position which, by its nature, is entrusted with private, restricted or privileged information of a type which would preclude its being subject to Jurisdiction B.

"Immediate Family": Father, mother, brother, sister, son, daughter and spouse, including adoptive, custodial and "in-laws" when residing in the employee's household. For bereavement purposes, the term includes grandparents, grandchildren, parents-in-law, brother or sister-in-law, and children-in-law.

"Jurisdiction A": The Section of the Code which deals with the classification and compensation of positions in the Office of the Secretary of State.

"Jurisdiction B": The Section of the Code which deals with merit and

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENT(S)

fitness as it applies to positions in the Office of the Secretary of State.

"Jurisdiction C": The Section of the Code which deals with the conditions of employment of positions of the Office of the Secretary of State.

"Licensed Attorney": Attorneys who are licensed to practice law within the State of Illinois.

"Next Higher Supervisor": An employee who is authorized to adjust grievance resolutions offered by an Appropriate Supervisor; an employee who may be locally or regionally assigned to resolve Level 2 grievances.

"Organizational Entity": An organization whose chief executive officer reports directly to the Secretary of State or the Assistant Secretary of State.

"Position": A set of duties, authorities and responsibilities.

"Probationary Period": A period of six calendar months (or 979 hours) immediately following an original appointment or reinstatement, or a period of three months (489.5 hours) following a promotion.

"Seniority": In totality, the unbroken service of an employee by the Office of the Secretary of State, or such service immediately precedent to employment by the Secretary of State which was unbroken and accrued within the employ of an agency covered by the Personnel Code under the Governor or within the University Civil Service System.

"Series": A class series is composed of two or more individual classes which are directly related in type of work performed, responsibility exercised and background experience required, while differing in levels, difficulty and/or achievement of these same terms. The classes of a series are similar in title and are usually sequential in nature from lowest to highest. Example: Executive I, II, III, IV and V are a class series.

"Sworn Personnel--Inter-Agency Assignment": Employees of the Office, vested with police authority, who are assigned to an affiliated outside organization for a determined time frame to perform police officer duties.

"Time of Hostilities": The following periods of time: from April 6, 1917 to November 11, 1918; from December 7, 1941 to December 31, 1946; and from June 27, 1950 to December 31, 1976.

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENT(S)

"Title": A title is the name by which a class is known.
Example: Executive I is a title.

"Unskilled Positions": Positions whose primary requirement is that incumbents be of good physical condition.

(Source: Amended at 21 Ill. Reg. 5937, effective APR 24 1997)

SUBPART C: MERIT AND FITNESS

Section 420.415 Sworn Personnel--Inter-Agency Assignment

a) Definition: The movement, either lateral or upward of an employee, by request of the operating department and with the approval of the Department of Personnel, to a vacant position especially created for an Inter-Agency assignment. This movement shall not be considered the permanent position of the employee assigned.

b) Eligibility for Inter-Agency Assignment: The employee must be certified in a classification determined to be that of sworn personnel having police authority by the Director of Personnel.

c) Limitations on Inter-Agency Assignments:

- 1) Inter-Agency assignments are voluntary.
- 2) The operating department must provide written notification of an assignment, and the employee must give written acceptance.
- 3) The duration of the assignment is at the discretion of the operating department director, but it shall be terminated within 10 working days after receipt of a written request from the employee for termination.

4) No provisional, temporary, emergency or exempt employee as referenced in Section 420.310(i) of this Part may be assigned.

d) Rights of Assigned Employees:

1) Assigned employees shall be placed on a Leave of Absence--Sworn Personnel--Inter-Agency Assignment in accordance with Section 420.665.

2) Assigned employees shall retain status, continuous service and all accrued benefits. Pay shall be consistent with the classification utilized for the assignment until the return to the official position.

e) Temporary Assignment for Inter-Agency Assigned Employee's Position: The operating department may temporarily assign another sworn employee to perform the duties of the position vacated by the assigned employee in accordance with Section 420.825.

(Source: Added at 21 Ill. Reg. 5937, effective APR 24 1997)

SUBPART D: CONDITIONS OF EMPLOYMENT

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENT(S)

Section 420.665 Leaves Of Absence--Sworn Personnel--Inter-Agency Assignment

The Director of Personnel shall grant leaves of absence to sworn personnel for an Inter-Agency assignment accepted for the duration of the assignment. When an employee returns from this leave, the department shall return the employee to the same or similar position in the class in which the employee was incumbent prior to the commencement of such leave.

(Source: Added at 21 Ill. Reg. 5937, effective APR 24 1997)

Section 420.680 Employee Rights After Leave

a) When an employee returns from a leave of absence of six months or less, the department shall return the employee to the same or similar position in the class in which the employee was incumbent prior to the commencement of such leave.

b) Except for those leaves granted under Sections 420.630, 420.665, 420.740 or 420.710 and when an employee returns from a leave or leaves exceeding six months and there is no vacant position available to such employee in the same class in which the employee was incumbent prior to such leave or leaves commencing, the employee may be laid off without consideration of continuous service and if laid off, the employee's name shall be placed on the reemployment list.

(Source: Amended at 21 Ill. Reg. 5937, effective APR 24 1997)

Section 420.825 Temporary Assignment

a) Definition: Temporary Assignment is to direct an employee in a specific position to perform the duties or responsibilities of another position which is equal to or higher than the classification to which the employee is incumbent. This directive must be written, approved by the Director of Personnel, and acknowledged by the employee.

b) Application: This Section does not apply to any assignment of less than thirty (30) calendar days.

c) Filling of Temporary Assignments: Temporary assignments may be granted for the following reasons:

- 1) While the operating department posts and/or fills a vacant position.
- 2) While an absent regular incumbent is utilizing extended sick leave.
- 3) While an absent regular incumbent is on a leave of absence.
- 4) While an absent regular incumbent is utilizing extended vacation time.

d) Length of Temporary Assignment: Temporary assignments shall not exceed six (6) months, except for those made in accordance with

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NOTICE OF ADOPTED AMENDMENT(S)

Section 420.415(e), which may be extended for good cause by the department for additional time periods with the Director of Personnel's approval and the employee's written consent.

- e) Identifying Temporary Assignments: The operating department will attempt to assign temporary assignment to the employees in the next lower or equivalent classification and to equitably distribute such assignments on a rotating basis giving due consideration to seniority and the operating needs of the department.

- f) Eligibility for Temporary Assignment: To be eligible for temporary assignment pay, employees must be directed to perform the duty or duties which distinguish the higher level position classification and/or be held accountable for the responsibility of the assigned position classification.

- g) Temporary Assignment Pay--Equal Classification: Employees temporarily assigned to position classifications in equal pay grades or rates to their permanent position classifications shall be paid their appropriate permanent position classification rate in accordance with the Pay Plan.

- h) Temporary Assignment Pay--Higher Classification: Employees temporarily assigned to position classifications having higher pay grades or rates than their permanent position classification, shall be paid as if they had received promotions into such higher pay grades in accordance with the Pay Plan.

- i) Termination of Temporary Assignment: Employees' pay shall return to the appropriate permanent rate when the temporary assignment has ended.

- j) Indefinite Assignments: Temporary job assignments shall not be of indefinite duration and shall not be considered the permanent position of the employee assigned; therefore, temporary assignment duties shall not be the subject of an allocation appeal.

(Source: Added at 21 Ill. Reg. 5937, effective APR 24 1997)

POLLUTION CONTROL BOARD

NOTICE OF EXPEDITED CORRECTION

- 1) Heading of the Part: Requirements for New Steel and Foundry Industry Wastes Landfills
- 2) Code Citation: 35 Ill. Adm. Code 817
- 3) Section Numbers: Table of Contents (Sections 307 and 308)
- 4) Date Proposal published in Illinois Register: August 30, 1996, 20 Ill. Reg. 11554
- 5) Date Adoption published in Illinois Register: January 24, 1997, 21 Ill. Reg. 1183
- 6) Date Request for Expedited Correction published in Illinois Register: February 21, 1997, 21 Ill. Reg. 2693
- 7) Adoption Effective Date: January 14, 1997
- 8) Correction Effective Date: January 14, 1997
- 9) Reason for Approval of Expedited Correction: The final order inadvertently included the headings of two sections in the Table of Contents, Section 307 and 308, that should have been omitted because those two sections were never adopted.

Agency Director _____ Date _____

The full text of the Corrected Rule begins on the following page:

POLLUTION CONTROL BOARD

NOTICE OF EXPEDITED CORRECTION

TITLE 35: ENVIRONMENTAL PROTECTION

SUBTITLE G: WASTE DISPOSAL

CHAPTER I: POLLUTION CONTROL BOARD

SUBCHAPTER i: SOLID WASTE AND SPECIAL WASTE HAULING

PART 817

REQUIREMENTS FOR NEW STEEL AND FOUNDRY INDUSTRY WASTES LANDFILLS

SUBPART A: GENERAL REQUIREMENTS

Section

817.101 Scope and Applicability
 817.103 Determination of Waste Status
 817.104 Sampling Frequency
 817.105 Waste Classification
 817.106 Waste Classification Limits
 817.107 Waste Mining

SUBPART B: STANDARDS FOR MANAGEMENT OF BENEFICIALLY
USABLE STEEL AND FOUNDRY INDUSTRY WASTES

Section

817.201 Scope and Applicability
 817.202 Limitations on Use
 817.203 Notification
 817.204 Long-Term Storage

SUBPART C: STEEL AND FOUNDRY INDUSTRY POTENTIALLY
USABLE WASTE LANDFILLS

Section

817.301 Scope and Applicability
 817.302 Design Period
 817.303 Final Cover
 817.304 Final Slope and Stabilization
 817.305 Leachate Sampling
 817.306 Load Checking
 817.309 Facility Location

SUBPART D: NEW STEEL AND FOUNDRY INDUSTRY LOW RISK WASTE
LANDFILLS

Section

817.401 Scope and Applicability
 817.402 Facility Location
 817.403 Design Period
 817.404 Foundation and Mass Stability Analysis

POLLUTION CONTROL BOARD

NOTICE OF EXPEDITED CORRECTION

817.405

Foundation Construction

817.406

Liner Systems

817.407

Leachate Drainage System

817.408

Leachate Collection System

817.409

Leachate Treatment and Disposal System

817.410

Final Cover System

817.411

Hydrogeologic Site Investigations

817.412

Plugging and Sealing of Drill Holes

817.413

Groundwater Impact Assessment

817.414

Design, Construction and Operation of Groundwater Monitoring Systems

817.415

Groundwater Monitoring Programs

817.416

Groundwater Quality Standards

817.417

Waste Placement

817.418

Final Slope and Stabilization

817.419

Load Checking

SUBPART E: CONSTRUCTION QUALITY ASSURANCE PROGRAMS

Section

817.501 Scope and Applicability

APPENDIX A

Organic Chemical Constituents List

AUTHORITY: Implementing Sections 5, 21, 21.1, 22, 22.17 and 28.1, and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/5, 5/21, 5/21.1, 5/22, 5/22.17, 5/28.1 and 5/27].

SOURCE: Adopted in R90-26(A) at 18 Ill. Reg. 12411, effective August 1, 1994; amended in R90-26(B) at 18 Ill. Reg. 14370, effective September 13, 1994; amended in R96-3 at 21 Ill. Reg. 1183, effective January 14, 1997; expedited correction in R97-3 at 21 Ill. Reg. 5948, effective January 14, 1997.

JOINT COMMITTEE ON ADMINISTRATIVE RULES

STRATTON OFFICE BUILDING
ROOM C-1
SPRINGFIELD, ILLINOIS
9:00 A.M..
MAY 13, 1997

NOTICES: Due to Register submittal deadlines, the Agenda below may be incomplete. Other items not contained in this published Agenda are likely to be considered by the Committee at the meeting.

It is the policy of the Committee to allow only representatives of State agencies to testify orally on any rule under consideration at Committee hearings. If members of the public wish to express their views with respect to a proposed rule, they should submit written comments to the Office of the Joint Committee on Administrative Rules at the following address:

*Joint Committee on Administrative Rules
700 Stratton Office Building
Springfield, Illinois 62706*

RULEMAKINGS SCHEDULED FOR JCAR REVIEW

The following rulemakings are scheduled for review at this meeting. JCAR staff may be proposing action with respect to some of these rulemakings. JCAR members may have questions concerning, and may initiate action with respect to, any item scheduled for JCAR review and any other issues within the Committee's purview.

PROPOSED RULEMAKINGSCentral Management Services

1. Pay Plan (80 Ill Adm Code 310)
-First Notice Published: 21 Ill Reg 2762 - 2/28/97
-Expiration of Second Notice Period: 6/1/97
2. Auto Liability (80 Ill Adm Code 3100)
-First Notice Published: 20 Ill Reg 13473 - 10/18/96
-Expiration of Second Notice Period: 5/21/97

Children and Family Services

13. Purchase of Service (89 Ill Adm Code 357)
-First Notice Published: 20 Ill Reg 15413 - 12/6/96
-Expiration of Second Notice Period: 5/22/97

Commerce and Community Affairs

4. Local Tourism and Convention Bureau Program (14 Ill Adm Code 550)

JOINT COMMITTEE ON ADMINISTRATIVE RULES

STRATTON OFFICE BUILDING
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MAY 13, 1997

- First Notice Published: 20 Ill Reg 11515 - 8/30/96
- Expiration of Second Notice Period: 6/1/97

Commerce Commission

5. Minimum Safety Standards for Transportation of Gas and for Gas Pipeline Facilities (83 Ill Adm Code 590)
-First Notice Published: 21 Ill Reg 1745 - 2/14/97
-Expiration of Second Notice Period: 5/25/97

Corrections

6. Rights and Privileges (20 Ill Adm Code 525)
-First Notice Published: 21 Ill Reg 2780 - 2/28/97
-Expiration of Second Notice Period: 5/29/97

Education

7. Special Education (23 Ill Adm Code 226)
-First Notice Published: 21 Ill Reg 769 - 1/17/97
-Expiration of Second Notice Period: 6/11/97

Environmental Protection Agency

8. Alternative Fuel Program (35 Ill Adm Code 275)
-First Notice Published: 21 Ill Reg 1342 - 1/31/97
-Expiration of Second Notice Period: 6/11/97

Natural Resources

9. Consignment of Licenses, Stamps and Permits (17 Ill Adm Code 2520)
-First Notice Published: 21 Ill Reg 1748 - 2/14/97
-Expiration of Second Notice Period: 5/15/97

10. The Illinois Oil and Gas Act (62 Ill Adm Code 240)
-First Notice Published: 20 Ill Reg 13699 - 10/25/96
-Expiration of Second Notice Period: 5/22/97

Pollution Control Board

11. Permits and General Provisions (35 Ill Adm Code 201)
-First Notice Published: 21 Ill Reg 342 - 1/3/97
-Expiration of Second Notice Period: 6/1/97

JOINT COMMITTEE ON ADMINISTRATIVE RULES

STRATTON OFFICE BUILDING
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SPRINGFIELD, ILLINOIS
9:00 A.M..
MAY 13, 1997

12. Definitions and General Provisions (35 Ill Adm Code 211)
-First Notice Published: 21 Ill Reg 329 - 1/3/97
-Expiration of Second Notice Period: 6/1/97
13. Definitions and General Provisions (35 Ill Adm Code 211)
-First Notice Published: 21 Ill Reg 1754 - 2/14/97
-Expiration of Second Notice Period: 6/4/97
14. Organic Material Emission Standards and Limitations for the Chicago Area (35 Ill Adm Code 218)
-First Notice Published: 21 Ill Reg 1768 - 2/14/97
-Expiration of Second Notice Period: 6/4/97
15. Organic Material Emission Standards and Limitations for the Metro East Area (35 Ill Adm Code 219)
-First Notice Published: 21 Ill Reg 1781 - 2/14/97
-Expiration of Second Notice Period: 6/4/97
16. Groundwater Quality (35 Ill Adm Code 620)
-First Notice Published: 21 Ill Reg 2562 - 2/21/97
-Expiration of Second Notice Period: 6/4/97
17. Site Remediation Program (35 Ill Adm Code 740)
-First Notice Published: 21 Ill Reg 2571 - 2/21/97
-Expiration of Second Notice Period: 6/4/97
18. Tiered Approach to Corrective Action Objectives (35 Ill Adm Code 742)
-First Notice Published: 20 Ill Reg 15429 - 12/6/96
-Expiration of Second Notice Period: 6/1/97
- Professional Regulation- 19. The Barber, Cosmetology, Esthetics, and Nail Technology Act of 1985 (68 Ill Adm Code 1175)
-First Notice Published: 20 Ill Reg 8813 - 7/12/96
-Expiration of Second Notice Period: 5/14/97
- Public Aid- 20. Rights and Responsibilities (89 Ill Adm Code 102)
-First Notice Published: 21 Ill Reg 1171 - 1/24/97
-Expiration of Second Notice Period: 5/30/97

JOINT COMMITTEE ON ADMINISTRATIVE RULES

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SPRINGFIELD, ILLINOIS
9:00 A.M..
MAY 13, 1997

21. Aid to Families with Dependent Children (89 Ill Adm Code 112)
-First Notice Published: 21 Ill Reg 549 - 1/10/97
-Expiration of Second Notice Period: 6/5/97
22. Aid to Families with Dependent Children (89 Ill Adm Code 112)
-First Notice Published: 21 Ill Reg 1154 - 1/24/97
-Expiration of Second Notice Period: 6/11/97
23. Aid to the Aged, Blind or Disabled (89 Ill Adm Code 113)
-First Notice Published: 21 Ill Reg 552 - 1/10/97
-Expiration of Second Notice Period: 6/5/97
24. General Assistance (89 Ill Adm Code 114)
-First Notice Published: 21 Ill Reg 555 - 1/10/97
-Expiration of Second Notice Period: 6/5/97
25. Medical Assistance Programs (89 Ill Adm Code 120)
-First Notice Published: 21 Ill Reg 558 - 1/10/97
-Expiration of Second Notice Period: 6/5/97
26. Related Program Provisions (89 Ill Adm Code 117)
-First Notice Published: 21 Ill Reg 1165 - 1/24/97
-Expiration of Second Notice Period: 5/22/97
27. Related Program Provisions (89 Ill Adm Code 117)
-First Notice Published: 20 Ill Reg 11593 - 8/30/96
-Expiration of Second Notice Period: 5/22/97
28. Medical Assistance Programs (89 Ill Adm Code 120)
-First Notice Published: 20 Ill Reg 16143 - 12/27/96
-Expiration of Second Notice Period: 5/22/97
29. Food Stamps (89 Ill Adm Code 121)
-First Notice Published: 20 Ill Reg 11581 - 8/30/96
-Expiration of Second Notice Period: 5/22/97
30. Medical Payment (89 Ill Adm Code 140)
-First Notice Published: 20 Ill Reg 16153 - 12/27/96
-Expiration of Second Notice Period: 6/1/97
- Public Health- 31. Lead Poisoning Prevention Code (77 Ill Adm Code 845)

JOINT COMMITTEE ON ADMINISTRATIVE RULES

STRATTON OFFICE BUILDING
ROOM C-1
SPRINGFIELD, ILLINOIS
9:00 A.M..
MAY 13, 1997

32. Migrant Labor Camp Code (77 Ill Adm Code 935)
-First Notice Published: 20 Ill Reg 13282 - 10/11/96
-Expiration of Second Notice Period: 5/14/97
33. Prohibited Conduct (11 Ill Adm Code 212)
-First Notice Published: 21 Ill Reg 855 - 1/17/97
-Expiration of Second Notice Period: 6/1/97

Racing Board

34. Confidentiality of Information (89 Ill Adm Code 505)
-First Notice Published: 21 Ill Reg 882 - 1/17/97
-Expiration of Second Notice Period: 5/22/97

Rehabilitation Services

35. Property Tax Code (86 Ill Adm Code 110)
-First Notice Published: 20 Ill Reg 15596 - 12/6/96
-Expiration of Second Notice Period: 6/4/97

Revenue

36. Regulations Under Illinois Securities Law of 1953 (14 Ill Adm Code 130)
-First Notice Published: 21 Ill Reg 3070 - 3/14/97
-Expiration of Second Notice Period: 5/30/97

Secretary of State

37. Regulations Under the Illinois Securities Law of 1953 (14 Ill Adm Code 130)
-First Notice Published: 21 Ill Reg 2852 - 2/28/97
-Expiration of Second Notice Period: 5/30/97

38. Issuance of Licenses (92 Ill Adm Code 1030)
-First Notice Published: 21 Ill Reg 1581 - 2/7/97
-Expiration of Second Notice Period: 5/31/97

Student Assistance Commission

39. General Provisions (23 Ill Adm Code 2700)

JOINT COMMITTEE ON ADMINISTRATIVE RULES

STRATTON OFFICE BUILDING
ROOM C-1
SPRINGFIELD, ILLINOIS
9:00 A.M..
MAY 13, 1997

40. Federal Family Education Loan Program (FFELP) (23 Ill Adm Code 2720)
-First Notice Published: 21 Ill Reg 1863 - 2/14/97
-Expiration of Second Notice Period: 6/11/97
41. Alternative Loan Program (23 Ill Adm Code 2721)
-First Notice Published: 21 Ill Reg 1824 - 2/14/97
-Expiration of Second Notice Period: 6/11/97
42. Illinois National Guard Program (23 Ill Adm Code 2730)
-First Notice Published: 21 Ill Reg 1962 - 2/14/97
-Expiration of Second Notice Period: 6/11/97

EMERGENCY AND PEREMPTORY RULEMAKINGS

Housing Development Authority

43. Repeal of National Affordable Housing Act (HOME) Program (47 Ill Adm Code 370) (Emergency)
-Notice Published: 21 Ill Reg 5328 - 4/25/97
44. National Affordable Housing Act (HOME) Program (47 Ill Adm Code 371) (Emergency)
-Notice Published: 21 Ill Reg 5369 - 4/25/97

Natural Resources

45. Sport Fishing Regulations for the Waters of Illinois (17 Ill Adm Code 810) (Emergency)
-Notice Published: 21 Ill Reg 5590 - 5/2/97

Professional Regulation

46. Professional Geologist Licensing Act (68 Ill Adm Code 1252) (Emergency)
-Notice Published: 21 Ill Reg 5647 - 5/2/97

Secretary of State

47. The Illinois Library System Act (23 Ill Adm Code 3030) (Emergency)
-Notice Published: 21 Ill Reg 4853 - 4/11/97

JOINT COMMITTEE ON ADMINISTRATIVE RULES

STRATTON OFFICE BUILDING

ROOM C-1

SPRINGFIELD, ILLINOIS

9:00 A.M..

MAY 13, 1997

State Universities Retirement System

48. Universities Retirement (80 Ill Adm Code 1600) (Emergency)

-Notice Published: 21 Ill Reg 4864 - 4/11/97

EXEMPT RULEMAKINGSPollution Control Board

49. Pretreatment Programs (35 Ill Adm Code 310)

-Proposed Date: 1/24/97

-Adopted Date: 4/25/97

AGENCY RESPONSESAging

50. Community Care Program (89 Ill Adm Code 240)

JOINT COMMITTEE ON ADMINISTRATIVE RULES

ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of April 22, 1997 through April 28, 1997 and have been scheduled for review by the Committee at its May 13, 1997 meeting in Springfield. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield, IL 62706.

Second Notice Expires	Agency and Rule	Start of First Notice	JCAR Meeting
6/5/97	Department of Public Aid, Aid to Families With Dependent Children (89 Ill Adm Code 112)	1/10/97 21 Ill Reg 549	5/13/97
6/5/97	Department of Public Aid, Aid to the Aged, Blind or Disabled (89 Ill Adm Code 113)	1/10/97 21 Ill Reg 552	5/13/97
6/5/97	Department of Public Aid, General Assistance (89 Ill Adm Code 114)	1/10/97 21 Ill Reg 555	5/13/97
6/5/97	Department of Public Aid, Medical Assistance Programs (89 Ill Adm Code 120)	1/10/97 21 Ill Reg 558	5/13/97
6/8/97	Department of Public Health, Migrant Labor Camp Code (77 Ill Adm Code 935)	2/28/97 21 Ill Reg 2829	5/13/97
6/11/97	Department of Public Aid, Aid to Families With Dependent Children (89 Ill Adm Code 112)	1/24/97 21 Ill Reg 1154	5/13/97
6/11/97	State Board of Education, Special Education (23 Ill Adm Code 226)	1/17/97 21 Ill Reg 769	5/13/97
6/11/97	Illinois Student Assistance Commission, General Provisions (23 Ill Adm Code 2700)	2/14/97 21 Ill Reg 1892	5/13/97

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

6/11/97	Illinois Student Assistance Commission, Federal Family Education Loan Program (FFELP) (23 Ill Adm Code 2720)	2/14/97 21 Ill Reg 1863	5/13/97
6/11/97	Illinois Student Assistance Commission, Alternative Loan Program (23 Ill Adm Code 2721)	2/14/97 21 Ill Reg 1824	5/13/97
6/11/97	Illinois Student Assistance Commission, Illinois National Guard Grant Program (23 Ill Adm Code 2730)	2/14/97 21 Ill Reg 1962	5/13/97
6/11/97	Environmental Protection Agency, Alternative Fuel Program (35 Ill Adm Code 275)	1/31/97 21 Ill Reg 1342	5/13/97

PROCLAMATIONS

97-143
DEKALB COUNTY SOIL AND WATER CONSERVATION DAY (REVISED)

Whereas, the Dekalb County Soil and Water Conservation District was formed on January 6, 1947, and celebrated its 50th anniversary this past January; and
Whereas, the Dekalb County Soil and Water District has been influential in the conservation movement of the area, implementing a "Dedication to Conservation Through Education Program," watershed programs, no-till demonstrations and local landuse involvement; and
Whereas, the Dekalb County Soil and Water District is currently served by Directors Nicholas Moore, Robert Tutt, J.M. Cronin, Ralph Boesche and Richard Bend, Administrative Coordinator Corinne Maly, Resource Conservationist Duane Bloenker and District Conservationist Michael Richolson;
Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 3, 1997, as DEKALB COUNTY SOIL AND WATER CONSERVATION DISTRICT DAY in Illinois.
Issued by the Governor March 20, 1997.
Filed by the Secretary of State April 25, 1997.

97-220
JOHNNIE DAVID "J.D." WASHINGTON DAY

Whereas, Johnnie David "J.D." Washington has been an active member of Omega Psi Phi for 35 years and has worked hard to encourage academic excellence in our youth and to foster the spiritual and economic development of our communities; and
Whereas, J.D. began his teaching career in 1951 in the Arkansas public school system and in 1959 went on to serve as principal for a junior and senior high school complex for 17 years in Missouri; and
Whereas, he taught graduate school courses at Southeast Missouri State University and is currently a part-time faculty member at the University of Illinois at Springfield's Teacher Education Program; and
Whereas, J.D. is a member of the Springfield Principals' Association, Illinois Principals' Association and Retired Principals' Association; and
Whereas, his activities in numerous organizations over the years have included St. John's AME Church, Prince Hall Masons Central Lodge #33, Omega Psi Phi 10th district representative and life member, Springfield Frontiers International Past 7th District Director, Springfield Urban League Board of Directors, NAACP Springfield Branch life member, Phi Delta Kappa scholastic educational fraternity, and U.S. Peace Corps field representative; and
Whereas, J.D. is being honored by Omega Psi Phi at their 60th Annual 10th District Convention in Springfield for his many achievements over the years;
Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 20, 1997, as JOHNNIE DAVID "J.D." WASHINGTON DAY in Illinois.
Issued by the Governor April 17, 1997.
Filed by the Secretary of State April 25, 1997.

97-221
SALVATION ARMY WEEK

Whereas, The Salvation Army provides spiritual counseling and basic human necessities to the needy and hurting on a daily basis; and

Whereas, the men and women of The Salvation Army are motivated by a love of God and a desire to help others; and

Whereas, The Salvation Army's programs and services stand as a symbol of compassion and assist this community's citizens to live meaningful and productive lives; and

Whereas, The Salvation Army offers help to all people in need without regard for race, color, creed, sex or age;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 12-18, 1997, as SALVATION ARMY WEEK in Illinois and extend gratitude on behalf of the citizens of Illinois to the dedicated officers, employees and volunteers of The Salvation Army who touch the lives of so many in our communities.

Issued by the Governor April 17, 1997.

Filed by the Secretary of State April 25, 1997.

97-222

VICTOR GIOVANNINI DAY

Whereas, Victor Giovannini began his career for Maine Township District 207 High Schools as an industrial education teacher, and later became an administrator and chairman for the Business Education and Applied Technology departments and went on to serve as District Chairman for Driver Education; and

Whereas, Mr. Giovannini also coached football and baseball during his tenure at Maine Township District and was assistant baseball coach of the Maine East team when it won the Illinois State Baseball Championship in 1958; and

Whereas, Victor Giovannini has also been very involved in his community, serving on the Board of United Way for the past 24 years, and has devoted countless hours to raise funds for the communities of Des Plaines and Park Ridge; and

Whereas, Victor's desire to help children and exert a positive influence upon them extends beyond the classroom to the community outside, where he has operated teen clubs, such as Hut, Deep End and Papa Joe's; and

Whereas, Victor Giovannini is retiring after 41 years as a teacher, administrator and coach;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 24, 1997, as VICTOR GIOVANNINI DAY in Illinois.

Issued by the Governor April 17, 1997.

Filed by the Secretary of State April 25, 1997.

97-223

ARMENIAN MARTYRS DAY

Whereas, the Armenian community is commemorating the 82nd Anniversary of the Armenian Genocide; and

Whereas, 82 years ago Armenians were forced to witness the genocide of their relatives and the loss of their ancestral homelands. The extermination of 1.5 million Armenians and the forced deportation of countless others by Ottoman Turks between the years 1915 and 1923 is remembered every year; and

Whereas, Ancestral Armenian lands have not been returned to the Armenian people; and

Whereas, the Armenians continue to be a people full of hope, working

side-by-side for the future of Armenia. Through their faith and pride in their heritage, the Armenians remain a strong and courageous people working toward rebuilding a firm foundation for Armenia; and

Whereas, Armenian-Americans have been forthright in their efforts to preserve their culture, heritage and language;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 24, 1997, as ARMENIAN MARTYRS DAY in Illinois in remembrance of the 82nd Anniversary of the Armenian Genocide.

Issued by the Governor April 18, 1997.

Filed by the Secretary of State April 15, 1997.

97-224

COMMUNITY ACTION WEEK

Whereas, the National Association of Community Action Agencies is the largest national organization representing the interests of Community Action Agencies and other private and public groups organized to fight poverty at the local level; and

Whereas, Community Action Agencies offer support for the more than 38 million Americans living in poverty in both rural and urban areas; and

Whereas, incorporated in 1971, the Illinois Community Action Association serves as the network for Illinois' not-for-profit corporations and units of government that strive to raise the health, education and economic standards of our state's citizens who live at the lower social and economic margins; and

Whereas, over the past two decades, the Illinois Community Action Association has been an innovative force in providing essential services to low-income families, children, senior citizens, the disabled and communities throughout our state; and

Whereas, services offered by the Illinois Community Action Association include food and nutrition programs, anti-drug abuse initiatives, newsletters, alerts, training, housing, and help for the homeless; and

Whereas, National Community Action Week will be May 4-10, 1997, and will highlight the achievements of Community Action Agencies;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 4-10, 1997, as COMMUNITY ACTION WEEK in Illinois and commend the Illinois Community Action Association for its efforts to help those less fortunate in our communities.

Issued by the Governor April 18, 1997.

Filed by the Secretary of State April 25, 1997.

97-225

LYME DISEASE AWARENESS DAY

Whereas, Lyme disease, first diagnosed in the United States in 1975 in Old Lyme, Connecticut, is a bacterial disease spread by ticks; and

Whereas, since 1975, reports of Lyme disease in the United States have increased dramatically, and the disease has become an important public health problem; and

Whereas, Illinois physicians are required to report cases of Lyme disease to local health departments or the Illinois Department of Public Health; and

Whereas, the signs and symptoms of Lyme disease vary greatly from one person to another and testing for the presence of the bacteria is not

completely accurate, making the disease difficult to diagnose and treat; and
Whereas, if left untreated, Lyme disease can cause severe symptoms such as meningitis, heart irregularities, blindness, memory loss, temporary paralysis of facial muscles and, most commonly, arthritis; and
Whereas, deer ticks infected with the bacteria that cause Lyme disease have been found in Illinois; and
Whereas, during this spring season, many Illinoisans are resuming outdoor activities, which may bring them into contact with deer ticks, and
Whereas, it is possible to prevent the bite of ticks that may carry Lyme disease by taking appropriate precautions when in wooded areas, areas with tall grass and weeds, areas with high deer populations and other tick-infested areas; and
Whereas, public awareness and education provide the best means of preventing Lyme disease or ensuring its early diagnosis and treatment; and
Whereas, when diagnosed early and treated promptly, Lyme disease responds well to oral antibiotics;
Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 1, 1997, as LYME DISEASE AWARENESS DAY in Illinois, and encourage all citizens of Illinois to familiarize themselves with the facts about Lyme disease and the ways in which it can be prevented.
Issued by the Governor April 18, 1997.
Filed by the Secretary of State April 25, 1997.

97-226 PEACE IN THE STREETS WEEK

Whereas, Communities Dare to Care is an Illinois organization with goals to raise the consciousness of every citizen across this nation and to educate them about the problems of gangs, drugs, and violence in cities and states nationwide; and
Whereas, I, Jim Edgar, am honored to serve as honorary chair of Peace in the Streets Week; and
Whereas, Peace in the Streets Week will include seminars, presentations, and workshops on the dangers of the power of gangs, drugs, and violence for parents and community residents, and will encourage the cooperation of social service organizations, government agencies, and other groups; and
Whereas, Communities Dare to Care is currently focusing on three projects, an anti-violence rally, Save Our Children, The Endangered Species Conference, and Peace in the Streets Memorial Service; and
Whereas, the anti-violence rally will bring together schools, parents, community residents, churches, organizations, and businesses of metropolitan Chicago to focus on heightening the awareness of the dangers of gangs, drugs, and violence; and
Whereas, Save Our Children, The Endangered Species Conference is presented by Communities Dare to Care and sponsored by Linden Oaks Hospital to bring together parents, community residents, churches, organizations, and businesses of the metropolitan Chicago area to focus on our youth and their future, and to begin a new movement to save our children; and
Whereas, Project Peace in the Streets Memorial Service, chaired by Reverend Willie Cusic of Second Mount Vernon Baptist Church and co-chaired by parents and children who have lost loved ones due to street violence, will be the culminating event of Peace in the Streets Week; and

Whereas, Communities Dare to Care wants to emphasize to parents, schools, churches, businesses, organizations, and community residents the importance of their involvement in regaining the leadership and control of their streets, their communities, and their children;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 5-12, 1997, as PEACE IN THE STREETS WEEK in Illinois.

Issued by the Governor April 18, 1997.

Filed by the Secretary of State April 25, 1997.

97-227 CORRECTIONAL OFFICER WEEK

Whereas, through their professional supervision of convicted felons, correctional officers of the Illinois Department of Corrections enhance the safety and welfare of our citizens; and
Whereas, the men and women serving our state as correctional officers must maintain constant vigilance, providing safe, humane, constitutional and secure incarceration of inmates; and
Whereas, throughout their careers, these public servants must face potentially dangerous situations with swift and appropriate action; and
Whereas, correctional officers are expected to work as a team and maintain their focus while handling the innate tensions associated with their jobs; and
Whereas, these highly trained employees strive to be fair, firm and consistent with their charges while enforcing the rules and regulations of their institutions; and
Whereas, through their tireless and often heroic actions, our correctional officers have worked to make the Illinois Department of Corrections one of the finest prison systems in the nation;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 4-10, 1997, as CORRECTIONAL OFFICER WEEK in Illinois.

Issued by the Governor April 21, 1997.

Filed by the Secretary of State April 25, 1997.

97-228 SHEERIT HAPLEITAH HOLOCAUST MEMORIAL DAY

Whereas, the 52nd annual collective memorial for Holocaust victims will be May 4, 1997, at the Skokie Valley Agudath Jacob Synagogue in Skokie, Illinois; and

Whereas, Sheerit Hapleithah of Metropolitan Chicago includes a dozen organizations which provide programs and services to Holocaust survivors and their families, and is organizing this memorial service; and
Whereas, the ceremony will be conducted by Laor Organization President Meyer Rubinstein and board member Betty Federman, with participation by children and grandchildren of local-area Holocaust survivors; and
Whereas, on this day in a candle-lighting ceremony, we will memorialize and honor the 6 million victims, including 1.2 million children, who perished in the Holocaust; and

Whereas, the memorial is expected to be attended by more than 1,500 people, including an estimated 1,000 Holocaust survivors; and
Whereas, Sheerit Hapleithah works tirelessly to organize this solemn event in order to remember the victims of the Holocaust and to provide eyewitness

testimony so that the atrocity of the Holocaust will be remembered by present and future generations and will never happen again;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 4, 1997, as SHEERIT HAPLEITAH HOLOCAUST MEMORIAL DAY in Illinois.

Issued by the Governor April 21, 1997.

Filed by the Secretary of State April 25, 1997.

97-229

CHICAGO VOCATIONAL HIGH SCHOOL DAY

Whereas, Chicago Vocational High School has been selected by the U.S. Secretary of Education as one of five "New Urban High Schools" to be used as a model for restructuring the country's secondary education system; and

Whereas, Chicago Vocational High School began its transformation in 1989 under Chicago's first school reform legislation; and

Whereas, the restructuring of Chicago Vocational High School includes dividing the 2,700-student school into eight small schools, redesigning curriculum, adopting an academy structure to personalize the learning process, developing an array of partnerships, investing in technical and job training programs, and instituting ongoing teacher training programs; and

Whereas, educators from as far away as France, Scotland and South Africa have looked to Chicago Vocational High School as a learning model, and each year the school hosts foreign and domestic educators who seek to learn about the school restructuring process;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 30, 1997, as CHICAGO VOCATIONAL HIGH SCHOOL DAY in Illinois.

Issued by the Governor April 23, 1997.

Filed by the Secretary of State April 25, 1997.

97-230

DONLAR DAY

Whereas, in 1990, Larry and Jeri Koskan started the Donlar Corporation to build upon the discovery of an environmentally-friendly replacement for water-soluble polymers; and

Whereas, the young company, headquartered in Bedford Park, Illinois, patented a synthetic route to biodegradable polyaspartates, the first large-scale production of a protein; and

Whereas, some applications for Donlar's biodegradable polyaspartate technology are industrial water treatment, secondary oil recovery, detergents and soaps, personal care and cosmetics, paper products, crop yield improvement, superabsorbents and adhesives; and

Whereas, Donlar has grown from 3 employees in 1990 to almost 70 employees in 1997; and

Whereas, in 1996, President Clinton awarded Donlar the first Green Chemistry Challenge Award given in the small business category for its role in the development, production and application of a new, unique and environmentally-friendly polymer; and

Whereas, Donlar will dedicate its manufacturing facility for biodegradable polyaspartates, the world's largest, in Peru, Illinois, on April 24, 1997;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 24, 1997, as DONLAR DAY in Illinois.

Issued by the Governor April 23, 1997.

Filed by the Secretary of State April 25, 1997.

97-231

MANUFACTURED HOUSING MONTH

Whereas, housing affordability is a major concern for all the citizens of the State of Illinois; and

Whereas, innovative construction methods, attractive financing, and a desire for quality housing have increased the demand for manufactured homes; and

Whereas, at approximately one-half the cost of site-built housing, manufactured housing offers a safe, attractive, and affordable avenue to home ownership for Illinois residents; and

Whereas, the Illinois Manufactured Housing Association continues to focus the attention of the citizens of this state on innovative land planning, product technology, community development, and consumer awareness; and

Whereas, as an integral part of the housing needs of the state that can no longer be overlooked by local governments, the association continues to focus the attention of local and state governments, as well as that of the consumer, on the pioneering and ever expanding efforts of the manufactured housing industry to assume its role in the affordable housing solution and the desirability of this type of home ownership during May;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 1997 as MANUFACTURED HOUSING MONTH in Illinois and I encourage the furtherance of innovative housing concepts for the benefit and comfort of our citizens.

Issued by the Governor April 23, 1997.

Filed by the Secretary of State April 25, 1997.

97-232

NORWEGIAN CONSTITUTION CELEBRATION DAYS

Whereas, to commemorate the 183rd Anniversary of the signing of the Norwegian Constitution or "Syttende Mai," several celebrations are being planned; and

Whereas, Norway is the longest standing democratic constitution in Europe, and it has been an accomplishment to have defended and maintained democracy over this long period; and

Whereas, the annual Norwegian Parade in Park Ridge, founded in 1899 by the Norwegian National League of Chicagoland, will be held May 18, 1997, and chaired by Barbara Kronberg-Mogil; and

Whereas, many Norwegian organizations will march in the parade, including Sons of Norway's Lodges, Men's and Women's Chorus, a Norwegian nursing home, and the Norwegian Elkhounds; and

Whereas, Mariann Leversen Erlenbach, who will be honored for her many years of dedication and service to the Norwegian-American community, will preside over the 1997 Norwegian Parade as Grand Marshal, with Are' Jostein Norheim, Consular for Political Affairs, Royal Norwegian Embassy in Washington, D.C., serving as honorary Grand Marshal; and

Whereas, the annual banquet of the Norwegian National League of Chicagoland will be held May 17, 1997, in Arlington Heights, with a service at Norwegian Memorial Church scheduled for, May 18, 1997;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 17-18 1997, as NORWEGIAN CONSTITUTION CELEBRATION DAYS in Illinois.
Issued by the Governor April 23, 1997.
Filed by the Secretary of State April 25, 1997.

97-233
NURSES WEEK

Whereas, 2.2 million registered nurses in the United States, including 136,000 RNs in Illinois, comprise our nation's and state's largest health care profession; and

Whereas, the depth and breadth of the registered nursing profession is meeting the different and emerging health care needs of the American population in a wide range of settings; and

Whereas, registered nurses promote restoration and maintenance of health in the individual and family; and

Whereas, the American Nurses Association and the Illinois Nurses Association, as the voice for registered nurses of this country and state, are working to chart a new course for a healthy nation that relies on increasing delivery of primary health care; and

Whereas, a renewed emphasis on primary and preventive health care will require the better utilization of all of our nation's registered nursing resources; and

Whereas, professional nursing has been demonstrated to be an indispensable component in the safety and quality of care of hospitalized patients; and

Whereas, the demand for registered nursing services will be greater than ever because of the aging of the American population, the continuing growth of life-sustaining technology, and the explosive growth of home health care services; and

Whereas, more qualified registered nurses will be needed in the future to meet the increasingly complex needs of health care consumers in this state; and
Whereas, the cost-effective, safe and quality health care services provided by registered nurses will be an ever more important component of the U.S. health care delivery system in the future;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 6-12, 1997, as NURSES WEEK in Illinois.

Issued by the Governor April 23, 1997.

Filed by the Secretary of State April 25, 1997.

97-234
POLISH CONSTITUTION DAY

Whereas, May 3, 1997, marks the 206th anniversary of the adoption of the Polish Constitution of 1791; and

Whereas, to celebrate this historical event, the Polish Constitution Day Parade will be held May 3, 1997, in Chicago, Illinois; and

Whereas, Adam Ocytko will serve as parade chairman and Lieutenant Ronald Siczkowski will serve as Grand Marshal of the parade, which will celebrate the 250th anniversary with the theme of General Casimir Pulaski's birth; and

Whereas, the Governor's Office of Ethnic Affairs will sponsor a Polish Constitution exhibit which will be displayed in the James R. Thompson Center as well as sponsor a program commemorating Polish Constitution Day immediately

following the parade; and

Whereas, the Chicago Society of the Polish National Alliance will hold the pre-parade brunch at the Walnut Room, Marshall Field's in Chicago; and

Whereas, the Wreath Laying Ceremony will be at the Kosciuszko Statute on May 4, 1997, at the Solidarity Parkway in Chicago; and

Whereas, the Polish National Alliance Commemorative Mass at Holy Trinity Church and the Parade Committee Commemorative Mass at St. Mary's of the Angels Church will be held May 4, 1997; and

Whereas, Polish Americans have contributed greatly to the state of Illinois in all areas including arts, sciences, business, medicine, law, government, and public service;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 3, 1997, as POLISH CONSTITUTION DAY in Illinois.

Issued by the Governor April 23, 1997.

Filed by the Secretary of State April 25, 1997.

97-235
RAYMOND F. MCCASKEY DAY

Whereas, Raymond F. McCaskey, president and chief executive officer of Blue Cross and Blue Shield of Illinois, oversees the operations of the state's oldest and largest health insurer; and

Whereas, he was elected chairman of the board in 1996 of the national Blue Cross and Blue Shield Association, a federation of 59 independent Blue Cross and Blue Shield plans; and

Whereas, he is committed to health care reform, making health insurance more affordable and accessible for all Americans; and

Whereas, he has served on Governor Jim Edgar's Health Care Reform Task Force as one of two key committee chairmen; and

Whereas, Raymond F. McCaskey has a strong commitment to helping people, as evidenced by the many community projects sponsored by Blue Cross; and

Whereas, Raymond F. McCaskey was elected co-chair in 1995 of Chicago United, a group which leads the fight to improve race relations in the city; and

Whereas, he is a member of the Illinois Violence Prevention Authority; and
Whereas, he is a member of the board of directors of the Mental Health Association of Illinois; and

Whereas, he and his wife, Judy, were named "Volunteers of the Year" in 1996 by the Mental Health Association of Illinois; and

Whereas, he was awarded the Anti-Defamation League's Distinguished Community Service Award; and

Whereas, Raymond F. McCaskey will be honored by the Chicago Federation of Labor, AFL-CIO at a luncheon on April 25, 1997, with the first annual Michael Bruton Workplace Safety Award for his tremendous support of organized labor and workplace safety issues;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 25, 1997, as RAYMOND F. MCCASKEY DAY in Illinois in honor of his strong commitment and generous service to the community and the health care industry.

Issued by the Governor April 23, 1997.

Filed by the Secretary of State April 25, 1997.

SAFE KIDS AMERICA DAYS/SAFE KIDS GEAR UP!

Whereas, more than 300 Illinois children younger than 15 years of age die from unintentional injuries; and

Whereas, each year, more than 5,000 children younger than 15 are injured severely enough to be admitted to Illinois trauma centers; and

Whereas, these tragic injuries are often predictable and preventable; and Whereas, the National SAFE KIDS Campaign promotes childhood injury prevention by uniting diverse groups into local and state coalitions, developing innovative educational tools and strategies, initiating public policy changes, promoting new technology and raising awareness through the media; and

Whereas, the National SAFE KIDS Campaign, with the backing of Johnson & Johnson, has launched SAFE KIDS GEAR UP!, an unprecedented initiative to unite forces with state and local SAFE KIDS coalitions and other childhood injury prevention activists to disseminate vital child safety information to countless homes; and

Whereas, the Illinois SAFE KIDS Coalition, coordinated by the Illinois Department of Public Health, is a cooperative effort between the National SAFE KIDS Campaign, local health departments, hospitals, law enforcement, fire departments and other state agencies; and

Whereas, First Lady Brenda Edgar is the 1997 SAFE KIDS Coalition honorary chairperson; and

Whereas, communities throughout Illinois will hold special childhood injury prevention activities during SAFE KIDS Days May 10-18, 1997, to promote child safety;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 10-18, 1997, as SAFE KIDS AMERICA DAYS in Illinois and encourage all citizens to join me in supporting the efforts and activities of SAFE KIDS GEAR UP! to prevent childhood injuries.

Issued by the Governor April 23, 1997.

Filed by the Secretary of State April 25, 1997.

Rules acted upon during the quarter of April 1 through June 30, 1997 (Issues 17-28) are listed in the Issues Index by Title number, Part number and Issue number. For example, 50 Ill. Adm. Code 4401 published in Issue 40 will be listed as 50-4401-2. The letter "R" designates a rule that is being repealed. The quarterly Sections Affected Index and Cumulative Index will be published in Issue 29 (July 15); Issue 42 (October 17); and Issue 3 (January 16, 1998). Inquiries about the Issues Index may be directed to the Administrative Code Division at 217-782-4414 or jnatalie@ccgate.sos.state.il.us (Internet address).

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